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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 5, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Yee, moved that the Journals of Proceedings for Monday, November 3 and November 10, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Leal, Teng, Yaki, Yee - 11.

COMMUNICATION

The Clerk read a communication from the San Francisco Redevelopment Agency, dated December 23, 1997, requesting the public hearing concerning the following ordinance be rescheduled to March 30, 1998:

Consideration Continued

File 151-97-004.01. [Rincon Point-South Beach Redevelopment Plan] Ordinance amending Ordinance No. 14-81, as amended by Ordinance Nos. 50-84, 405-91, 137-92, 270-92, 430-94, 119-97, 276-97, and 334-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the Project Area by adding land to the South Beach Sub-Area of the Project Area, specifically portions of Block 3774 (Sara Lee Corporation).

Supervisor Yaki, seconded by Supervisor Ammiano, moved the Clerk be directed to reschedule the public hearing from January 12, 1998 to March 30, 1998.

No objection and Clerk directed to comply.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Yaki requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Passed for Second Reading as Amended

[Appropriation, Courthouse]
Ordinance rescinding \$1,140,840, Department of Public Works, from the budget of the Trial Courts and reappropriating \$1,140,840 for the New Civic Center Courthouse operations, maintenance, and custodial services and for the creation of ((eleven (11))) thirteen (13) positions for fiscal year 1997-98; companion measure to File 102-97-11. (Mayor Willie L. Brown, Jr.)

File 101-97-35, Ordinance No.

Monday, January 5, 1998

Supervisor Ammiano, seconded by Supervisor Leal, moved to amend title, line two, by replacing "eleven (11)" with "13"; amend page three, line 4, by replacing "5" with "7"; amending page three, line six, by replacing "11" with "13".

New title: "Ordinance rescinding \$1,140,840, Department of Public Works, from the budget of the Trial Courts and reappropriating \$1,140,840 for the New Civic Center Courthouse operations, maintenance, and custodial services and for the creation of thirteen (13) positions for fiscal year 1997-98."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Severed from Consent Calendar

Supervisor Yaki requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Passed for Second Reading as Amended

[Salary Ordinance Amendment, Public Works]

Ordinance amending Annual Salary Ordinance 307-97, reflecting the creation of ((eleven)) thirteen (13) positions in the Department of Public Works; companion measure to File 101-97-35. (Mayor Willie L. Brown, Jr.)

File 102-97-11, Ordinance No.

Supervisor Ammiano, seconded by Supervisor Leal, moved to amend title, line three, by replacing "eleven (11)" with "thirteen (13)"; amend line 17 by replacing "6" with "7" twice.

New title: "Ordinance amending Annual Salary Ordinance 307-97, reflecting the creation of thirteen (13) positions in the Department of Public Works."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Severed from Consent Calendar

Supervisor Yaki requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Finally Passed

[Appropriation, Department of Human Services]

Ordinance appropriating \$10,851,890, Department of Human Services, of State and Federal revenues to fund implementation of Welfare Reform programs, expansion of adoption and homeless programs, and improvement of Department of Human Services facilities, and for the creation of 258 new positions and the deletion of 149 positions, for fiscal year 1997-98; placing on reserve \$1,837,336; companion measure to File 102-97-14. (Controller)

File 101-97-39, Ordinance No. 9-98

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Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Severed from Consent Calendar

Supervisor Yaki requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Passed for Second Reading as Amended

[Salary Ordinance Amendment, Dept of Human Services]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, Department of Human Services, reflecting the net creation of ((107)) 109 new positions; companion measure to File 101-97-39. (Department of Human Resources)

File 102-97-14, Ordinance No.

Supervisor Ammiano, seconded by Supervisor Leal, moved to amend title, line two, by replacing "107" with "109".

New title: "Ordinance amending Annual Salary Ordinance 307-97, reflecting the net creation of 109 new positions in the Department of Human Services."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

[Appropriation, Civic Center Courthouse Security]
Ordinance rescinding \$261,238 Sheriff Department, from budget of the Trial Courts and reappropriating \$261,238 to fund the cost of the 8 additional positions for security needed at the New Civic Center Courthouse for fiscal year 1997-98; companion measure to File 102-97-17. (Trial Courts)

File 101-97-49, Ordinance No. 11-98

Finally passed.

[Public Employment, Sheriff's Office]
Ordinance amending Annual Salary Ordinance, 1997/98 reflecting the creation of eight (8) new positions in the Sheriff's Office; companion measure to File 101-97-49. (Department of Human Resources)

File 102-97-17, Ordinance No. 14-98

Finally passed.

[Appropriation, Public Works, City Hall]
Ordinance appropriating \$25,192,702 of City Hall Improvement bond funds proceeds for design and construction of non-seismic improvements at City Hall for the Department of Public Works for fiscal year 1997-98. (Mayor)

File 101-97-50, Ordinance No. 12-98

Finally passed.

Monday, January 5, 1998

[MOU, MEA Airport Police, Bargaining Unit XP3]

Ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County for Bargaining Unit XP3 to be effective July 1, 1996 through June 30, 1997. (Department of Human Resources)

File 93-97-4, Ordinance No. 3-98

(Fiscal Impact.)

Finally passed.

[MOU, MEA Fire, Bargaining Unit F3]

Ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County for Bargaining Unit F3 to be effective July 1, 1992 through June 30, 1999. (Department of Human Resources)

File 93-97-5, Ordinance No. 4-98

(Fiscal Impact.)

Finally passed.

[Real Property Transfer Tax]

Ordinance amending Municipal Code, Part III, (Real Property Transfer Tax), to substitute the Director of Property for the Assessor as member of the Transfer Tax Review Board. (Supervisor Kaufman)

File 127-97-9, Ordinance No. 17-98

(Amends Section 1115.2.)

Finally passed.

[Taxes, Add Common Administrative Provisions]

Ordinance amending Municipal Code, Part III, (Common Administrative Provision), to add common administrative provisions for the transit occupancy tax, parking tax, utility users tax, emergency response fee, stadium operators tax, payroll expense tax and business tax and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-10, Ordinance No. 18-98

(Adds Sections 6.1-1 through 6.23-1.)

Finally passed.

[Transient Occupancy Tax]

Ordinance amending Municipal Code, Part III, (Tax on Transient Occupancy of Hotel Rooms), relating to definitions, rate of tax, surcharges, redevelopment project areas, exemptions; and by repealing sections relating to registration, returns, deficiency determinations, failure to file return, jeopardy determinations, redeterminations, penalties and interest, collection, administration, Board of Review, savings clause, violations and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-11, Ordinance No. 19-98

(Amend Sections 501, 502, 502.5, 502.6, 502.6-1, 502.8, 502.8-1, 506;
Repeal Sections 507, 508, 509, 510, 511, 512, 513, 514, 515, 515.1, 516, 517 and 518.)

Finally passed.

[Parking Tax]

Ordinance amending Municipal Code, Part III, (Tax on Occupancy of Parking Space in Parking Stations), relating to Parking Tax definitions, imposition and rate of tax, charges subject to tax, surcharge, collection of tax, exemptions and administration; repealing sections concerning registration of operator, returns, deficiency determinations, failure to file return, jeopardy determinations, redeterminations, penalties and interest, collection of tax, savings clause, violations a misdemeanor and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-12, Ordinance No. 20-98

(Amends Sections 601, 602, 602A, 602.5, 604, 606 and 615,
Repeals Sections 607, 608, 609, 610, 611, 612, 613, 614, 616, 617 and 618.)

Finally passed.

[Utility Users Tax]

Ordinance amending Municipal Code, Part III, Article 10 (Utility Users Tax), relating to Utility Users Tax definitions, telephone users, electricity users, gas users, water users, steam users, exemptions, rate adjustments, collection, reporting, records, refunds, failure to pay and purpose; repealing sections concerning exemptions, interest and penalties, failure to collect, Board of Review, residential hotels, regulations, violations, savings clause and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-13, Ordinance No. 21-98

(Amend Sections 701, 703, 704, 705, 706, 706.1, 707, 707.2, 708, 709, 713, 714, 715 and 720;
Repeal Sections 702, 710, 711, 712, 714.1, 716, 718, 721 and 722.)

Finally passed.

[Emergency Response Fee]

Ordinance amending Municipal Code, Part III, (Emergency Response Fee), pertaining to emergency response fee definitions, exemptions and refunds; by repealing sections relating to Appeal, Board of Review, records, rules and regulations, violations; misdemeanor, savings clause and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-14, Ordinance No. 22-98

(Amend Sections 751, 754 and 765;
Repeal Sections 763, 764, 767, 769, 771 and 772.)

Finally passed.

[Stadium Operators Tax]

Ordinance amending Municipal Code, Part III, (Stadium Operator Admission Tax), relating to stadium operators tax definitions and exemptions; by repealing sections concerning determination of tax due, returns, contents of returns, filing, extension of time, deficiency determinations, interest, offsetting payments, penalties, fraud, service, notice of deficiency determination, no return made, computation, interest, fraud, service, jeopardy determinations, nonpayment, redetermination, time for filing, hearing, alteration of determination, finality of order, time for payment, service, penalties and interest, refund, administration, Board of Review, examination of records, disclosure, savings clause, violations and effective date; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-15, Ordinance No. 23-98

(Amend Sections 801 and 807;
Repeal Sections 809 through 840, 842, 843 and 844.)

Finally passed.

[Payroll Expense Tax]

Ordinance amending Municipal Code, Part III, (Payroll Expenses Tax Ordinance) pertaining to payroll expense tax defining "employee", imposition of tax, rates of tax, apportionment, nexus, small business exemption, enterprise zone credit, new jobs credit, summer youth employment credit and relation to business tax ordinance; by repealing sections relating to defining "City and County", "Person", "Tax Collector", "Taxpayer", smaller business exemption, financial information, duties of tax collector, interest and penalties, amount of penalties, underpayments, jeopardy assessments, overpayments, redetermination, Board of Review, legal actions, misdemeanor, savings clause, exemption, successors or assignees, and failure to withhold; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-16, Ordinance No. 24-98

(Amend Sections 902.4, 903, 903.1, 904, 905, 905-A, 906A, 906B, 906C and 917.1;
Repeal Sections 902.3, 902.7, 902.8, 902.9, 905-B, 907.1, 908, 909, 909.1, 910, 910.1, 911, 912, 913, 914, 915, 916, 917, 918 and 918.1.)

Finally passed.

[Gross Receipts Tax]

Ordinance amending Municipal Code, Part III, (Business Tax Ordinance), relating to real estate development, fixed place of business, commission merchants, brokers, contractor, hotels, apartments, laundries, cleaners, money lending, personal property rental, other businesses, retail sales, storage, freight forwarding, utilities, transporting persons for hire, trucking, wholesale sales, architects,

engineers, nonprofit garage corporations, tax rates, firearms sales, constitutional exemptions, small business exemption, enterprise zone credit, new jobs credit, summer youth employment credit, garment manufacturers credit, registration, fictitious business names, suspension, revocation of certificates, payments, returns; by repealing Sections concerning "City and County" "Person", "Tax Collector", controller's report, smaller business exemption, other exemptions, financial information, penalties, deficiency determinations, jeopardy assessments, no return made, redetermination, penalties, amount of penalties, actions, remedies; duty of successors, failure to withhold, refunds, tax collector, Board of Review, records required, examination, payments by mail, confidentiality, severability, violations, licensing, effective dates; and providing an effective date (January 1, 1998). (Supervisor Kaufman)

File 127-97-17, Ordinance No. 25-98

(Amend Sections 1002.15, 1004, 1004.01 through 1004.13, 1004.15, 1004.16, 1004.17, 1004.18, 1005, 1005.3, 1005.5, 1005.6, 1005.7, 1005.8, 1007, 1007.3, 1008, and 1009;
Repeal Sections 1002.4, 1002.8 1002.14, 1004.14, 1005.3-1, 1005.4, 1009.1, 1009.2, 1010, 1010.1, 1011, 1012, 1013, 1013.1, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026 and 1027.)

Finally passed.

Recommendation of Economic Development, Transportation
and Technology Committee

Finally Passed

[News-Gathering Vehicles]

Ordinance amending Traffic Code pertaining to exemptions for certain vehicles pertaining to display of vehicle press cards and providing for a new vehicle press card fee of \$50, and adding Section providing for specific locations for news-gathering vehicles, to grant preferential parking privileges to members of the press when engaged in the gathering or photographing of news. (Supervisor Yaki)

File 124-97-5, Ordinance No. 16-98

(Amends Sections 11.3, 11.4;
Adds Section 11.9.)

Finally passed.

Recommendation of Health, Family & Environment Committee

Finally Passed

[Polluting Garden and Construction Equipment]

Ordinance amending Administrative Code, restricting the use of polluting garden and utility equipment on poor air quality days and prohibiting the future purchase of such equipment except under specified circumstances. (Supervisors Leal, Bierman, Newsom)

File 97-97-59, Ordinance No. 5-98

(Adds Sections 4.14 and 21.18-6.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Permit, Cahill Contractors, Inc.]

Resolution granting revocable permission to Cahill Contractors, Inc., agents for Glide Community Development, Inc., to temporarily close and occupy the west sidewalk and a portion of the street area on Taylor Street, north of Ellis Street during construction operations at the Cecil Williams Glide Community House at 333 Taylor Street. (Supervisors Teng, Kaufman)

File 10-97-13, Resolution No. 4-98

Adopted.

[Grant - Major Urban Resource Libraries]

Resolution authorizing the Public Library to accept and expend \$110,174 to be awarded by the California State Library, as part of the Major Urban Resource Libraries Program of the Library Services and Technology Act, to purchase books and materials for the international languages center, business center, jobs and career center, and children's center collections to be located in the main and branch libraries. (Supervisors Teng, Medina, Newsom)

File 147-97-6, Resolution No. 11-98

Adopted.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Park and Open Space Advisory Committee, for unexpired portion of two-year term ending July 15, 1999. (Rules Committee)

File 92-97-48, Resolution No. 6-98

(M. Terri Hanagan, succeeding Geoffrey Kors, Seat No. 23301, from list of organizations, resigned.)

Adopted.

[Appointments]

Resolution appointing members to the Adult Day Health Care Planning Council, terms expired, for new three-year terms ending September 30, 2000. (Rules Committee)

File 92-97-51, Resolution No. 8-98

(Carole Kilgariff, succeeding herself, Seat No. 20007, must represent age group;
Dr. Harry Weinstein, M.D., succeeding himself, Seat No. 20012, must represent the San Francisco Medical Society.)

Adopted.

[Appointments]

Resolution appointing members to the Bicycle Advisory Committee, terms expired, for new three-year terms ending December 31, 2000. (Rules Committee)

File 92-97-55, Resolution No. 9-98

(Theodore C. Thomas, succeeding himself, Seat No. 24301, must represent the bicycle industry;
Laurel Condro, succeeding herself, Seat No. 24302, must represent environmental organization.)

Adopted.

[Appointments]

Resolution appointing members to the Lead Hazard Reduction Citizens Advisory Committee. (Rules Committee)

File 92-97-50.2, Resolution No. 7-98

(Matt Brown, succeeding Jamie Sanbonmatsu, Seat No. 26713, must represent tenant organization, resigned, for unexpired portion of four-year term ending December 22, 1999;
Ted Gullicksen, succeeding himself, Seat 26711, must represent tenant organization, term expired, for new four-year term ending December 22, 2000;
Nancy Burns, succeeding herself, Seat No. 26715, must be lead abatement expert, term expired, for new four-year term ending December 22, 2000.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Amiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Appropriation, Mayor's Office of Community Development]
Ordinance appropriating \$94,943, Mayor's Office of Community Development, from the General Fund Reserve-Day Labor Program for professional services at the Mayor's Office for fiscal year 1996-97; providing for ratification of action previously taken. (Mayor's Office of Community Development)

File 101-97-48, Ordinance No. 10-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

(Supervisor Kaufman dissenting in committee.)

[Employee Signature Authorization Ordinance]
Ordinance amending Administrative Code, requiring certain labor representation procedures in hotel or restaurant development projects in which the City has a proprietary interest. (Supervisors Katz, Yaki, Yee, Bierman, Leal, Medina, Teng, Ammiano, Brown)

File 97-97-62, Ordinance No. 6-98

(Add Sections 23.31 through 23.35.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Kaufman - 1.

Passed for Second Reading as Amended

[Hotel Tax Fund Reallocation]
(Ordinance amending Municipal Code, Part III (Hotel Tax Fund Reallocation), to change the special purpose allocations of hotel tax revenues from percentages to specific dollar amounts, to adjust each allocation annually by the rate of growth or loss in total hotel tax revenues (subject to a 10% cap), and to change the source of funds for the cultural center allocation.)) (Supervisor Brown)

Ordinance amending Municipal Code, Part III, by amending Section 515.01 to extend the allocation of Hotel Tax Funds to provide rent supplements for low-income households for five years in an aggregate maximum amount of \$3,240,000 during such five-year period, for a total aggregate amount of \$7,240,000 over the sixteen-year period from January 1, 1987, through December 31, 2002.

File 127-97-6.2, Ordinance No.

(Amends Section 515.01.)

Supervisor Brown, seconded by Supervisor Yaki, moved an amendment of the whole entitled, "Ordinance amending Municipal Code, Part III, by amending Section 515.01 to extend the allocation of Hotel Tax Funds to provide rent supplements for low-income households for five years in an aggregate maximum amount of \$3,240,000 during such five-year period, for a total aggregate amount of \$7,240,000 over the sixteen-year period from January 1, 1987, through December 31, 2002."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

From Finance Committee Without Recommendation

Finally Passed

[Appropriation, Office of Citizen Complaints]
Ordinance appropriating \$184,936, Office of Citizen Complaints-Police Department (\$109,403 from General Reserve-Office of Citizen Complaints and \$75,533 from San Francisco International Airport Reserve Fund) for salaries, fringe benefits, rent, other current expenses, materials and supplies, equipment and services of other department and for the creation of three (3) positions, for fiscal year 1997-98; companion measure to File 102-97-12. (Mayor Willie L. Brown, Jr.)

File 101-97-36, Ordinance No. 8-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Kaufman - 1.

[Salary Ordinance Amendment, Police Department]

Ordinance amending Annual Salary Ordinance 307-97 reflecting the creation of three new positions in the Police Department, Office of Citizen Complaints. (Mayor Willie L. Brown, Jr.)

File 102-97-12, Ordinance No. 13-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Kaufman - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Leal assumed the Chair.

Recommendations of Economic Development, Transportation
and Technology Committee

Finally Passed

[Waterfront Land Use Plan]

Ordinance amending Administrative Code to add maritime land uses, acceptable non-maritime land uses and unacceptable non-maritime land uses and define terms as required by Proposition H, 11/6/90. (Supervisor Yaki)

File 97-97-63, Ordinance No. 7-98

(Amends Sections 61.3, 61.4, 61.5 and 61.6.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

[Waterfront Amendments to the General Plan]

Ordinance approving amendments to the Northeastern Waterfront Plan, Central Waterfront Plan, Commerce and Industry Element and Recreation and Open Space Element of the General Plan of the City and County; companion measure to Files 97-97-63, 271-97-10.2, 36-97-6, 115-97-15. (Planning Department)

File 271-97-10.1, Ordinance No. 26-98

(Planning Commission Resolution No. 14467 dated 10/16/96, adopting amendments to the General Plan.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

[Waterfront Boundary Adjustments]

Ordinance approving amendments to the boundaries of the Northeastern Waterfront Plan and Central Waterfront Plan of the General Plan of the City and County to eliminate overlapping areas with the Downtown Plan, Rincon Hill Plan, South of Market Plan and South Bayshore Plan (Planning File No. 96.310M); companion measure to Files 97-97-63, 271-97-10.1, 36-97-6, 115-97-15. (Planning Department)

File 271-97-10.2, Ordinance No. 27-98

(Planning Commission Resolution No. 14468 dated 10/16/97, adopting the boundary changes to the Northeastern and Central Waterfront Plans.)

(Exempt Status: General Rule Exclusion (State Guidelines, Section 15061(b)(3).))

Finally passed by the following vote:

Monday, January 5, 1998

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

[Zoning Map Amendments - Waterfront]

Ordinance amending Planning Code by amending Sectional Map No. 1 SU of the Zoning Map of the City and County to reclassify property located on the west side of the Embarcadero between Jefferson and Bay Streets, all of Assessor's Block 15, 16, 17 and 35, from the Northern Waterfront Special Use District Number 1 to Waterfront Special Use District Number 3, to add property on the west side of the Embarcadero between Harrison and Berry Streets, all of Assessor's Blocks 3770, 3771, 3790, 3792 and 3801, Lot 1 in Assessor's Block 3769, to Waterfront Special Use District Number 3, and to add property on the east side of the Embarcadero from Pier 26 to China Basin, a portion of Assessor's Block 9900, to Waterfront Special Use District Number 1, all as generally shown on the maps attached as Exhibits A and B; companion measure to Files 97-97-63, 271-97-10.1, 271-97-10.2, 115-97-15. (Planning Department)

File 36-97-6, Ordinance No. 28-98

(Planning Commission Resolution No. 14470 dated 10/16/97, approving proposed Zoning Map.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

[Planning Code Amendment - Waterfront]

Ordinance amending Planning Code to rename the Northern Waterfront Special Use Districts as the Waterfront Special Use Districts, to include piers within the definition of lots, to allow reductions in parking requirements within Waterfront Special Use Districts, to allow broader sponsorship for festivals and other celebrations eligible as temporary uses, to include waterborne commerce, navigation, fisheries and recreation uses as principal uses within M-1 and M-2 Districts, to create a Waterfront design review process and design advisory committee, to allow uses permitted or conditionally permitted by Planning Code Section 201 as principal uses and conditional uses, respectively, within Waterfront Special Uses District Number 1 if the uses are included within the Waterfront land use plan, to modify criteria for conditional use approvals in Waterfront Special Use District Numbers 1 and 3; companion measure to Files 97-97-63, 271-97-10.1, 271-97-10.2, 36-97-6. (Planning Department)

File 115-97-15, Ordinance No. 15-98

(Amends Sections 102.14, 124, 161, 205.1, 227, 240, 240.1, 240.2, 240.3, 263, 263.2 and 263.3.)

(Planning Commission Resolution No. 14469 dated 10/16/97, approving proposed Planning Code amendments and recommending adoption.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Kaufman - 1.

The President resumed the Chair.

Recommendation of Health, Family & Environment Committee

Finally Passed

[Tobacco Advertising and Promotion]

Ordinance amending Police Code, to prohibit the placement of signs advertising or promoting cigarettes or other tobacco products outside or in publicly visible locations in commercial establishments in the City, with certain exceptions, and requiring a notice of correction under certain circumstances before a civil action is filed. (Supervisors Ammiano, Bierman, Teng, Katz, Newsom, Medina)

File 121-95-10, Ordinance No. 1-98

(Adds Section 674.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Seamless Partnership]

Resolution designating the Department of Human Services to coordinate all components of the "Seamless Partnership" the workforce development systems for the City and County and urging all job training agencies to establish a work experience and or internship component to their classroom training; and urging the business community to participate in this "Seamless Partnership" to create on-the-job and/or internship opportunities for the job trainees; and the "community career centers" should be based in the economically disadvantaged neighborhoods and included career exploration and job retention services. (Supervisor Teng)

File 107-97-2, Resolution No. 10-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[CalWORKS Plan]

Resolution approving the City's California Work Opportunities and Responsibility to Kids (CalWORKS) Plan as prepared by the Department of Human Services for submission to the State Department of Social Services. (Supervisor Teng)

File 107-97-5, Resolution No. 3-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Hold Harmless Agreement]

Resolution authorizing the Chief of Police to execute a hold harmless agreement with the State of California concerning the participation of the Police Department in the Parole Law Enforcement Automated Data System (LEADS) Program. (Police Commission)

File 172-97-71, Resolution No. 12-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Contract Approval]

Resolution authorizing the Department of Parking and Traffic to enter into a Memorandum of Understanding with the Unified School District to implement a School Crossing Guard Program and approving an indemnification clause contained in the Memorandum of Understanding. (Supervisors Teng, Medina, Newsom)

File 172-97-74, Resolution No. 13-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Agreement, Sheriff - Community Alert Network, Inc.]

Resolution retroactively authorizing the Sheriff's Department to enter into an agreement with Community Alert Network, Inc., for an automated telephone notification system, which agreement provides for mutual indemnification from claims or other damages which arise as a result of performance under said agreement. (Sheriff)

File 172-97-76, Resolution No. 14-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki,
Yee - 11.

Monday, January 5, 1998

[Civil Rights, Vietnamese-American Coalition]

Resolution supporting the recommendations of the Vietnamese-American Coalition for Civil Rights; and urging the Housing Authority to conduct staff training on the changing demographics of clients they serve, and that a training session be provided for all housing commissioners and appointed officials on the state of the Asian Pacific American community and their needs; urging the Housing Authority Commission and Human Rights Commission to hold a joint hearing to review the progress of the Housing Authority's implementation of the recommendations the Vietnamese-American Coalition for Civil Rights and to report their findings to the Board of Supervisors by February 1, 1998. (Supervisors Teng, Brown, Bierman, Newsom, Katz)

File 206-97-7, Resolution No. 15-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Liquor License, 460 Haight Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine - public premises license to John Didomenico and Lon Lazar for Nickie's Bar located at 460 Haight Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-36, Resolution No. 16-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Liquor License Transfer, 2800 Leavenworth Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from Thriftway-Dixie Company at 350 Seventh Avenue to 2800 Leavenworth Street, to Vahid Faraji for Cafe Espresso, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-37, Resolution No. 17-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendation of Rules Committee

Adopted

[Mayor's Criminal Justice Council]

Resolution amending Resolution No. 414-89, as amended, to name changes (facilitated by the City Charter) of member departments of the Council and Executive Committee of the Mayor's Criminal Justice Council. (Mayor's Criminal Justice Council)

File 278-97-1, Resolution No. 18-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of all persons interested in or objecting to the decision of the Director of Public Works to approve Parcel Map to legalize subdivision of Lot 20, in Assessor's Block 69, into two lots of residential property located at 1001 Chestnut Street.

File 59-97-4

(Appeal filed December 10, 1997.)

Monday, January 5, 1998

The following persons were sworn in and granted privilege of the floor:

Appellant: Patricia Dobos.

Respondents: Representative, Department of Public Works; Richard Garcia-Kennedy; Norma Garcia-Kennedy.

The President then declared the hearing closed.

From Clerk of the Board

(Only one of the following two motions should be adopted.)

Adopted

[Appeal, 1001 Chestnut Street Parcel Map]

Motion approving decision of the Director of Public Works, approving Parcel Map to legalize subdivision of Lot 20, in Assessor's Block 69, into two lots of residential property located at 1001 Chestnut Street.

File 59-97-4.1, Motion No. M98-2

Supervisor Bierman, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 10.

Absent: Supervisor Yee - 1.

Tabled

[Appeal, 1001 Chestnut Street Parcel Map]

Motion disapproving decision of the Director of Public Works, approving Parcel Map to legalize subdivision of Lot 20, in Assessor's Block 69, into two lots of residential property located at 1001 Chestnut Street.

File 59-97-4.2, Motion No.

Supervisor Medina, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 10.

Absent: Supervisor Yee - 1.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to Parcel Map to legalize subdivision of Lot 20, in Assessor's Block 69, into two lots of residential property located at 1001 Chestnut Street, for consideration by the Board at its next meeting.

File 59-97-4.3, Motion No. M98-3

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 10.

Absent: Supervisor Yee - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of persons interested in or objecting to the proposed vacation of a portion of a sewer and public utility easement located in the former Octavia Street between Post Street and Geary Boulevard and authorizing other official actions in connection therewith.

File 164-97-4.1

Monday, January 5, 1998

(Pursuant to Board of Supervisors Resolution No. 1078-97 approved December 5, 1997.)

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

From Economic Development, Transportation and Technology Committee
Without Recommendation

Passed for Second Reading

[Former Octavia Street Easement-Vacation and Sale]

Ordinance ordering the vacation and sale of a portion of a sewer and public utility easement located in the former Octavia Street between Post Street and Geary Boulevard and authorizing other official actions in connection therewith. (Real Estate Department)

File 164-97-4.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki - 10.

Absent: Supervisor Yee - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, disabled parking zones;
John, supports medical marijuana distributors;
Vic Hernandez, Cannabis Buyers Clubs;
Michael DeHart, medical marijuana;
David, medical marijuana;
Female speaker, Supervisor Leal.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Lifeline Cable Rate]

Resolution urging the City's cable provider to institute an expanded lifeline cable rate for all recipients of federal, state or local cash maintenance programs, as provided in the January 22, 1997 Franchise Agreement with the City and County, and urging the City Attorney to investigate whether TCI may be liable to such low income subscribers for a rebate retroactive to date the franchise agreement was approved. (Supervisor Ammiano)

File 32-97-5, Resolution No.

(December 22, 1997 - Introduced in Board for consideration on January 5, 1998.)

At the request of Supervisor Ammiano, referred to Economic Development, Transportation and Technology Committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Katz requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Monday, January 5, 1998

Referred to Committee

[Democratic Convention in San Francisco]
Resolution urging the Democratic National Committee to select San Francisco as the site for the National Party Convention in the year 2000. (Supervisors Katz, Teng, Newsom, Medina, Bierman, Ammiano, Kaufman, Yaki, Yee, Brown, Leal)

File 283-97-1, Resolution No.

(December 22, 1997 - Introduced in Board for consideration on January 5, 1998.)

At the request of Supervisor Katz, referred to Economic Development, Transportation and Technology Committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yaki requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Commendation]
Resolution commending and honoring Susan Leal for her distinguished service as Supervisor of the City and County of San Francisco.

File 98-0012, Resolution No. 1-98

(December 26, 1997 - Referred to Board for consideration on January 5, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Farewell to Supervisor Leal

Members of the Board of Supervisors expressed their personal appreciation and admiration to Supervisor Leal and wished her well as she takes on the task as Treasurer of the City and County of San Francisco.

Presentation Made

On behalf of the Board of Supervisors, President Kaufman presented Supervisor Leal with a copy of the above commendatory resolution.

Supervisor Leal thanked the Board and spoke briefly of her tenure as Supervisor and is pleased that several Supervisors have agreed to carry on her work on various programs (treatment on demand, child care, red light running and Municipal Railway global positioning system).

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Immigrant Aid Reimbursement]
Resolution urging the Federal and State Government to clarify to officials in the Immigration and Naturalization Service and all state agencies that demand repayment of benefits violates the stated policies of the INS and the State Department. (Supervisors Medina, Leal, Brown, Bierman, Ammiano, Newsom, Katz)

File 13-97-43, Resolution No. 5-98

(December 22, 1997 - Introduced in Board for consideration on January 5, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Leal, Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 30-97-1.25, Motion No. M98-1

(December 22, 1997 - Introduced in Board for consideration on January 5, 1998.)

Adopted.

[Commendation]

Resolution recognizing and commending Mary I. Callanan, Treasurer, on the occasion of her retirement after 33 years of high quality services to the City and County of San Francisco.

File 98-0011, Resolution No. 2-98

(December 29, 1997 - Referred to Board for consideration on January 5, 1998.)

Adopted.

[Final Map]

Motion approving final map of 3930 24th Street, a 23 unit mixed use Condominium Project, being a merger and resubdivision of Lots 8 and 9 in Assessor's Block No. 3654, and adopting findings pursuant to the Planning Code Section 101.1. (Department of Public Works)

File 98-0010, Motion No. M98-4

(December 22, 1997 - Referred to Board for consideration on January 5, 1998.)

Adopted.

[Final Map]

Motion approving final map of 24 Page Street, a five unit Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 837, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0013, Motion No. M98-5

(December 29, 1997 - Referred to Board for consideration on January 5, 1998.)

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Brown Act Finding]

Motion that the Board finds by roll call that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Imperative Resolutions]

Adopted

[Commend George Heath]

Resolution commending the humanitarian work and principles of voluntary service as exhibited by San Francisco Food Bank Volunteer George Heath.

File 98-0027, Resolution No. 19-98

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

[Commend Shirley Breyer Black]

Resolution commending Shirley Breyer Black for her life-time achievements and sending warm congratulations to Shirley Breyer Black for her 80th Birthday and declaring January 6, 1998 as "Shirley Breyer Black Day" in San Francisco.

File 98-0028, Resolution No. 20-98

Supervisors Teng, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Rincon Point-South Beach Redevelopment Plan]

Ordinance amending Ordinance No. 14-81, as amended by Ordinance Nos. 50-84, 405-91, 137-92, 270-92, 430-94, 119-97, 276-97, and 334-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the Project Area by adding land to the South Beach Sub-Area of the Project Area, specifically portions of Block 3774 (Sara Lee Corporation). (Redevelopment Agency) Public hearing continued to January 12, 1998 is rescheduled to March 30, 1998, at 3:00 p.m.

File 151-97-004.01.

Referred to Committee

[Appropriation, Department of Telecommunications]

Ordinance appropriating \$35,000,000, Department of Telecommunications, of lease revenue bond fund proceeds for professional services (first phase of Motorola contract) to provide Citywide Emergency Radio System. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0018.

Referred to Board

[Commend Jeanie Kortum Stermer/GGNRA]

Resolution commending and thanking Jeanie Kortum Stermer and the Golden Gate National Recreation Area for their work to create and sustain A Home Away From Homelessness. Supervisor Bierman presented. Referred to Board for Adoption without Committee Reference Calendar January 12, 1998.

File 98-0029.

[Commend Maurice H. Chuck]

Resolution commending Maurice H. Chuck and all the writers of The Literati for their outstanding literary achievements and declaring February 1, 1998 as "Maurice H. Chuck and The Literati Day" in San Francisco. Supervisor Teng presented. Referred to Board for Adoption with Committee Reference Calendar January 12, 1998.

File 98-0030.

Referred to Committee

[Waive Fees, Summer of Love Celebration]

Resolution urging the San Francisco Police Department to waive all administrative fees associated with the Thirtieth Anniversary of the Summer of Love celebration. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-0031.

[Universal Child Care]

Resolution supporting national and state efforts to increase access to quality and affordable child care including subsidies and improved and expanded facilities and urging the Mayor's Office of Children, Youth and Their Families, the Department of Human Services, Recreation and Park Department, San Francisco Unified School District and the private sector to increase funding for child care and work together to establish a universal child care policy plan for all San Francisco children. Supervisor Teng presented. Referred to Health, Family and Environment Committee.

File 98-0032.

Charter Amendments:

Referred to Committee

[Charter Amendment-Board Members Salary]

Charter amendment (Second Draft) amending Section 2.100 to increase the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585. Supervisor Ammiano presented. Referred to Rules Committee.

File 285-97-001.

Requests for Hearings:

[Health Service System Claims Backlog]

Hearing to consider the causes and to identify potential solutions for the current claims backlog experienced in the Health Service System. Supervisor Leal presented. Referred to Finance Committee with request it be considered at the January 7, 1998 meeting.

File 98-0024.

[San Francisco Works/Small Business Partnership]

Hearing to consider the status of private sector efforts, such as San Francisco Works and the Small Business Partnership, to determine what the City can do to assure successful implementation of these and other such programs. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0033.

[Head Start Programs]

Hearing to evaluate the current state of the Head Start program in San Francisco. Supervisor Yaki presented. Referred to Health, Family and Environment Committee.

File 98-0034.

[Bay Bridge West Approach Retrofit Plan]

Hearing to discuss the plans for retrofitting the western Bay Bridge approach, including potential impacts on traffic access and the preliminary construction time line. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0035.

[Section 8 Housing Programs]

Hearing to consider Section 8 housing voucher programs to decrease the number of landlords who are opting out of Section 8 and HOPWA housing voucher programs; to close potential loopholes in the City's rent control ordinance that inadvertently exclude Section 8 landlords from rent control; and investigate potential steps by the U.S. Housing and Urban Development that could help alleviate the Section 8 housing crisis. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 98-0036.

[Alcoholic Beverage Control]

Hearing to consider the practices of the Alcoholic Beverage Control Department; whether or not allocated resources are utilized to maximum capacity for enforcement and permitting; their relationship with other jurisdictional enforcement authorities and consistency with the San Francisco Police Code. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 98-0037.

[New Year's Eve Celebration, Union Square]

Hearing to consider the impact of the annual New Year's eve celebration in Union Square on public safety (police/fire) resources and whether such celebrations are detrimental to both public and private property. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 98-0038.

[Shopping Carts]

Hearing to consider how chain store operators, community groups, merchants and city government can effectively work together to reduce the problem of shopping cart theft and the safety hazards such stolen carts pose to life and property when abandoned in communities. Supervisor Brown presented. Referred to Housing and Neighborhood Services Committee.

File 98-0039.

[New Year's Eve Celebration, Union Square]

Hearing to consider issues related to the New Year's eve celebration at Union Square; planning for the 1998 New Year's Celebration; exploring possibility of a City-sanctioned New Year's celebration at some other site than Union Square; possibility of a San Francisco-sponsored "First Night Celebration" and the need for creating a task force to plan for New Year's Eve 1999. Supervisor Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 98-0040.

[Non-Emergency Services, 311 System]

Hearing to consider cost and effectiveness of 311 non-emergency services in San Francisco. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 98-0041.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0008. [Parking Regulation] Ordinance amending Traffic Code by amending Section 71.B regarding the towing of vehicles from yellow zones. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 98-0014. [General Plan Referral Procedures] Ordinance amending Administrative Code by adding Sections 2A.52 and 2A.53, requiring General Plan Referral Reports on the consistency with the City's General Plan of certain actions taken by the Board of Supervisors. (Planning Department) Referred to Rules Committee.

Resolutions Referred to Committee

File 98-0001. [BART/Airport Development and Easement Agreements] Resolution approving the Airport Project Development Agreement and Easement Agreement for West Bayshore, each of which is by and between the City and County of San Francisco, acting by and through its Airport Commission, and Bay Area Rapid Transit System (BART). Referred to Finance Committee.

File 98-0006. [Exempt Employment] Resolution approving the designation of the classification and rank of Q-90 Director of Police Psychology exempt from the Civil Service provisions of the Charter. (Police Department) Referred to Finance Committee.

Monday, January 5, 1998

File 98-0007. [Lease of Property] Resolution authorizing a 10-year lease of Public Utilities Commission land between the City and County of San Francisco and SMART SMR of California, Inc., dba Nextel Communications, in the City of Millbrae, San Mateo County. (Public Utilities Commission) Referred to Finance Committee.

File 98-0009. [Grant - Federal Funds] Resolution authorizing the San Francisco Municipal Court to retroactively apply for, accept and expend grant funding in the amount of \$299,562.00 from the Office of Justice Programs to underwrite the cost of the San Francisco Drug Court Enhancement Initiative for the period September 29, 1997 to September 30, 1998. (Municipal Court) Referred to Housing and Neighborhood Services Committee

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that City Attorney prepare ordinance to improve resource efficiency in the construction and operation of new or substantially remodeled municipal buildings to minimize hazardous waste generation during construction, conserve water and energy via installation of resource-conserving fixtures, reduce waste through recycling and recovery of building materials and minimize toxics use through landscaping and building design techniques.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Tommy Smith (Supervisor Bierman)
William Laine, Sr. (Supervisor Bierman)
Rhea Robertson (Supervisor Ammiano)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:59 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 23, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, January 12, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 12, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Yaki, seconded by Supervisor Medina, moved that the Journals of Proceedings for Monday, November 17 and November 24, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

CONSENT CALENDAR

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Port Commission]

Ordinance appropriating \$3,500,000, Port Commission, of San Francisco Harbor Operating Fund Loan Revenue, to fund the costs for the design and construction of Hyde Street fishing harbor for fiscal year 1997-98, placing \$3,229,700 on reserve. (Controller)

File 101-97-44, Ordinance No.

Passed for second reading.

[Appropriation, City Attorney]

Ordinance appropriating \$824,009 from the General Fund Reserve-Litigation for salaries and fringe benefits for the City Attorney for fiscal year 1997-98. (Mayor)

File 101-97-53, Ordinance No.

Passed for second reading.

[Appropriation, Department of Public Works]

Ordinance appropriating \$10,790,000, including \$7,000,000, Department of Public Works, from Earthquake Safety Improvement Fund interest earned and rescinding and appropriating \$3,790,000 from various projects, to fund the cost of construction of new utility systems at the San Francisco Zoo for fiscal year 1997-98, placing \$10,790,000 on reserve. (Controller)

File 101-97-54, Ordinance No.

Passed for second reading.

[Settlement of Claim]

Ordinance approving the settlement of the City's claims against MCT, mechanical and electrical design subconsultant for the new Sheriff's facility, by receipt of \$400,000 to the City. (City Attorney)

File 46-97-12, Ordinance No.

(S.F. Superior Court No. 976083.)

Passed for second reading.

Adopted

[Federal Grant - Airport]

Resolution authorizing Airport Commission to file grant application, and accept and expend grant of \$360,000 from the Federal Aviation Administration for the K-Explosives Detection Program. (Mayor)

File 27-97-12, Resolution No. 22-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

[Findings - 1001 Chestnut Street parcel map]

Motion adopting findings related to the approval of the decision of the Director of Public Works approving a parcel map, a two lot subdivision project, for property located at 1001 Chestnut Street.

File 59-97-4.4, Motion No.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recommendations of Finance Committee

Finally Passed

[Appropriation, Courthouse]

Ordinance rescinding \$1,140,840, Department of Public Works, from the budget of the Trial Courts and reappropriating \$1,140,840 for the New Civic Center Courthouse operations, maintenance, and custodial services and for the creation of thirteen (13) positions for fiscal year 1997-98; companion measure to File 102-97-11. (Mayor Willie L. Brown, Jr.)

File 101-97-35, Ordinance No. 29-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Salary Ordinance Amendment, Public Works]

Ordinance amending Annual Salary Ordinance 307-97, reflecting the creation of thirteen positions in the Department of Public Works; companion measure to File 101-97-35. (Mayor Willie L. Brown, Jr.)

File 102-97-11, Ordinance No. 30-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Salary Ordinance Amendment, Dept of Human Services]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, Department of Human Services, reflecting the net creation of 109 new positions. (Department of Human Resources)

File 102-97-14, Ordinance No. 31-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Hotel Tax Fund Reallocation]

Ordinance amending Municipal Code, Part III (Hotel Tax Fund Reallocation), to extend the allocation of Hotel Tax Funds to provide rent supplements for low-income households for five years in an aggregate maximum amount of \$3,240,000 during such five-year period, for a total aggregate amount of \$7,240,000 over the sixteen-year period from January 1, 1987, through December 31, 2002. (Supervisor Brown)

File 127-97-6.2, Ordinance No. 2-98

(Amends Section 515.01.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

From Economic Development, Transportation and Technology Committee
Without Recommendation

Finally Passed

[Former Octavia Street Easement-Vacation and Sale]

Ordinance ordering the vacation and sale of a portion of a sewer and public utility easement located in the former Octavia Street between Post Street and Geary Boulevard and authorizing other official actions in connection therewith. (Real Estate Department)

File 164-97-4.1, Ordinance No. 32-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Department of Public Health]

Ordinance appropriating \$293,143, Department of Public Health-Community Health Service, of the General Fund Reserve, to fund the ambulatory health and mental health care services at the new Treasure Island jail facility and for the creation of 9.4 new positions for fiscal year 1997-98, placing \$293,143 on reserve; companion measure to File 102-97-13. (Controller)

File 101-97-38, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Salary Ordinance Amendment, Department of Public Health]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Service, reflecting the creation of 9.4 positions; companion measure to File 101-97-38. (Department of Human Resources)

File 102-97-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Appropriation, Department of Public Health-SFGH]

Ordinance appropriating \$158,049, Department of Public Health-San Francisco General Hospital, of the General Fund-Salary and Benefits to provide funding for additional patient care hours as specified in the Memorandum of Understanding between the City and County and SEIU Local 790 (Nurses), and for the creation of 5.24 positions for fiscal year 1997-98; companion measure to File 102-97-15. (Controller)

File 101-97-40, Ordinance No.

Passed for second reading by the following vote:

Monday, January 12, 1998

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Salary Ordinance Amendment, DPH-SFGH]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Network, reflecting the net creation of 5.24 new positions; companion measure to File 101-97-40. (Department of Human Resources)

File 102-97-15, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

The President resumed the Chair shortly thereafter.

Consideration Continued

(Supervisor Kaufman dissenting in Committee.)

[Appropriation, Department of Public Health]

Ordinance appropriating \$1,033,415, including an additional \$262,415, Department of Public Health-Community Health Service, from Medi-Cal and MediCare Revenues and transferring \$771,000 of visiting nurse hospice group contracts to fund the newly created Community Health Network Home Health Agency and for the creation of 28.2 new positions; providing for ratification of action previously taken; companion measure to File 102-97-16. (Controller)

File 101-97-45, Ordinance No.

Supervisor Yaki, seconded by Supervisor Brown, moved to continue consideration to January 20, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

(Supervisor Kaufman dissenting in Committee.)

[Salary Ordinance Amendment, Department of Public Health]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Service, reflecting the creation of 28.2 new positions; companion measure to File 101-97-45. (Department of Human Services)

File 102-97-16, Ordinance No.

Supervisor Yaki, seconded by Supervisor Brown, moved to continue consideration to January 20, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Passed for Second Reading

[Appropriation, Department of Building Inspection]

Ordinance appropriating \$261,914, Department of Building Inspection, of Building Inspection Fund balance to replenish the Repair and Demolition Fund for fiscal year 1997-98. (Controller)

File 101-97-46, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[MOU, MEA Police, Bargaining Unit P3]

Ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County for Bargaining Unit P3 to be effective July 1, 1992 through June 30, 2001. (Department of Human Resources)

File 93-97-3, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[San Francisco Refunding Revenue Bonds]

Ordinance amending Administrative Code providing for the debt service savings test for issuance of Refunding Revenue Bonds without voter approval. (Supervisor Kaufman)

File 97-97-65, Ordinance No.

(Amends Section 55.1;
Adds new Section 55.06.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Cash Difference and Overage Funds]

Ordinance amending Administrative Code concerning Cash Difference Fund and Overage Fund, to add the Public Utilities Commission Customer Service Bureau to the list of departments to which Section 10.88 applies. (Mayor Willie L. Brown, Jr.)

File 97-97-66, Ordinance No.

(Amends Section 10.88.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Closed Sessions for Assessing Merit]

Ordinance amending Administrative Code, the San Francisco Sunshine Ordinance, to allow Executive Compensation Committee to meet in closed session when evaluating an employee's performance to determine whether to award merit increases in compensation. (Supervisor Kaufman)

File 97-97-74, Ordinance No.

(Amends Section 67.10.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Competitive Bidding Exemption]

Ordinance waiving competitive bid requirements for the Recreation and Park Commission's award of contracts to the San Francisco Conservation Corps for renovation of play areas at Gilman Playground and Herz Playground. (Recreation and Park Department)

File 172-97-77.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to speak.

There being no response, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commend Jeanie Kortum Stermer/GGNRA]

Resolution commending and thanking Jeanie Kortum Stermer and the Golden Gate National Recreation Area for their work to create and sustain A Home Away From Homelessness. (Supervisors Bierman, Katz)

File 98-0029, Resolution No. 23-98

(January 5, 1998 - Introduced in Board for consideration on January 12, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Commend Maurice H. Chuck]

Resolution commending Maurice H. Chuck and all the writers of The Literati for their outstanding literary achievements and declaring February 1, 1998 as "Maurice H. Chuck and The Literati Day" in San Francisco. (Supervisors Teng, Katz)

File 98-0030, Resolution No. 24-98

(January 5, 1998 - Introduced in Board for consideration on January 12, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Brown, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Brown Act Finding]

Motion that the Board finds by roll call that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Brown, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Imperative Resolutions]

Adopted

[Commend Rudy Meraz]

Resolution commending Rudy Meraz on his retirement from the Graphics Communication Union Local 583.

File 98-0066, Resolution No. 25-98

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Commend Carl's Pastry Shop]
Resolution commending Carl's Pastry Shop for fifty years of service to the community.

File 98-0067, Resolution No. 26-98

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[CALM-Cash Assistance Linked to Medi-Cal]
Substitute ordinance amending Administrative Code by adding Article X to Chapter 20 thereto, encompassing Sections 20.100 to 20.123, to establish a Cash Assistance Program for individuals who are eligible for Medi-Cal due to age or disability, but who are not eligible for Supplemental Social Security Income (SSI). Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 097-97-070.

[PAES-Personal Assisted Employment Services]
Substitute ordinance amending Administrative Code by adding Article IX to Chapter 20, encompassing Sections 20.70 to 20.92, to create the Personal Assisted Employment Services Program to provide assistance in obtaining paid employment and a cash stipend for indigent adult residents of San Francisco. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 097-97-071.

[SSIP-Supplemental Security Income Pending]
Substitute ordinance amending Administrative Code by adding Article XI to Chapter 20 thereto, encompassing Sections 20.200 to 20.224, to establish a Cash Assistance Program for individuals who are applying, or have been determined eligible for Social Security Income (SSI) but who have not begun to receive payments. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 097-97-072.

[General Assistance Program]
Substitute ordinance amending Administrative Code by amending Section 20.56.6 to allow for rent payments up to the eligible client's otherwise eligible total monthly income and or assets rather than the monthly grant amount, Section 20.56.11 to exclude income tax refunds and payments made under foster care or FSET/GATES programs from the calculation of available income or resources, by adding Sections 20.56.16, 20.56.17 and 20.56.18 to comply with State law provisions regarding ineligibility for General Assistance; by amending Section 20.57 to modify the amount and computation of General Assistance grants, Section 20.57.1 to provide that rent free housing shall be valued according to the income-in-kind chart in the California Code of Regulations rather than by fair market value, and by making other amendments to change obsolete language. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 097-97-073.

[Underground District No. 327]
Ordinance creating Underground District No. 329 in the Liberty Hill area. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0063.

[Underground District No. 330]
Ordinance creating Underground District No. 330 in the Laidley Street area. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0064.

[Owner Move-In Moratorium]

Ordinance amending Administrative Code Section 37.9(g) to allow evictions for specified move-ins of disabled or catastrophically ill relatives, during the 18-month moratorium on evictions for owner/relative move-ins that displace residential tenants who are 60 years of age or older or disabled and have been residing in the same rental unit for 10 years or more, or who are catastrophically ill and have been residing in the same rental unit for 5 years or more; and making clarifying and technical changes. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 98-0065.

Referred to Board

[Commend Kathy Files Lacey]

Resolution recognizing Kathy Files Lacey for her years of service to the United States Senate and commending her for her many contributions to the State of California and its people. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 20, 1998.

File 98-0068.

[Proclaim Lunar New Year, Year of the Tiger]

Resolution commemorating the Year of the Tiger and extending heartfelt wishes for a prosperous New Year and declaring January 28, 1998 to be "Lunar New Year's Day" in San Francisco. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 20, 1998.

File 98-0069.

Referred to Committee

[Temporary Assistance to Needy Families Funds]

Resolution authorizing the Juvenile Justice Coordinating Council to serve as the Local Planning Council to advise the Chief Probation Officer in the development of an expenditure plan for approximately \$3.1 million in Temporary Assistance to Needy Families Funds from the State Department of Social Services. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 98-0070.

[Beacon Center Bus Line]

Resolution urging Municipal Railway and San Francisco Unified School District to assess transportation needs of beacon centers and consider creating a separate "Beacon Center Line" to meet transportation needs of children, families and seniors who wish to utilize beacon centers. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0071.

Referred to Board

[Market Street Closure Economic Impact Report]

Resolution urging the Mayor to direct the Office of Economic Development to conduct an economic impact report on the proposal to limit private vehicular traffic on Market Street. Supervisors Yaki, Kaufman, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar January 20, 1998.

File 98-0072.

Charter Amendments:

[Ballot Measure]

Charter amendment (Second Draft) amending Section 9.111 and adding Section 9.111-1 to authorize the City and County and its commission to clarify the general authority of the City and County and its commissions to incur and refund any indebtedness, to enter into cost effective loans or other indebtedness with the State of California or the federal government under certain circumstances. Supervisor Kaufman presented.

File 286-97-001.

Requests for Hearings:

[Lead Poisoning Prevention Program]

Hearing to consider how City departments plan to implement the lead poisoning prevention program and what resources are needed to implement the program. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 98-0073.

[Red Light Camera Program]

Hearing on the status of the red light camera program. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0074.

[Department of Public Health Procedures]

Hearing to consider the Department of Public Health's progress in developing procedures articulating standards and procedures related to due process, grievance, ombuds functions and alternatives for services for clients suspended from DPH-funded agencies. Supervisor Katz presented. Referred to Health, Family and Environment Committee with request it be considered at the March 26, 1998 meeting.

File 98-0075.

[Jet Skis]

Hearing to examine the use of jet skis in San Francisco waters. Supervisor Newsom presented. Referred to Health, Family and Environment Committee.

File 98-0076.

[First Source Hiring]

Hearing to consider prioritize hiring of qualified, economically disadvantaged individuals through provisions included in city contracts and in permits for development projects. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0077.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar January 20, 1998.

File 98-0078.

Referred to Committee

[Audit, Health Service Department]

Motion directing the Budget Analyst to conduct a performance or management audit of the San Francisco Health Service System and further directing the Budget Analyst, upon completion of the follow-up performance review of the Tax Collector's office, to give priority to auditing the San Francisco Health Service System. Supervisor Katz presented. Referred to Finance Committee.

File 98-0079.

[Meeting Schedule]

Motion revising the regular meeting schedule of the Board of Supervisors by canceling the November 30, 1998 and December 18, 1998 meetings and by canceling all board and committee meetings from August 25, 1998 through September 13, 1998, and by rescheduling the September 21, 1998 meeting to September 22, 1998. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-0080.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0015. [Parking Regulations - Parking Meter Zones] Ordinance amending Traffic Code by adding Section 202.F to the San Francisco Traffic Code and establishing parking time limitations that shall apply at parking meter zones with inoperative or missing parking meters. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 98-0016. [Parking and Traffic, Taxicabs] Ordinance amending Traffic Code by amending Section 34 thereof, regarding the exemption of taxicabs from turn prohibitions. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 98-0017. [M.L.D.K., Inc. v. CCSF, et al.] Ordinance authorizing settlement of litigation of M.L.D.K., Inc., against the City and County of San Francisco by recognizing a reduction of business taxes due by \$127,770.22. (Superior Court No. 984697). (City Attorney) Referred to Rules Committee.

File 98-0018. [Appropriation, Department of Telecommunications] Ordinance appropriating \$35,000,000, Department of Telecommunications, of Lease Revenue Bond fund proceeds for professional services to provide Citywide Emergency Radio System for fiscal year 1997-98. RO #97179. (Mayor) Referred to Finance Committee.

File 98-0050. [Appropriation, Ethics Commission] Ordinance appropriating \$82,448, Ethics Commission, from the General Fund Reserve-Ethics Commission, for salary, fringe benefits and non-personal services for the creation of 1.41 position for fiscal year 1997-98; companion measure to Files 98-0057 and 64-97-22. RO #97187. (Controller) Referred to Finance Committee.

File 98-0051. [Appropriation, PUC-Clean Water] Ordinance appropriating \$3,500,000, Department of Public Utilities-Clean Water, Clean Water Program fund balance for the construction of new Southeast Plant Aeration Basins Influent Channel and design of a Booster Pump Station Upgrade for fiscal year 1997-98. RO #97188. (Controller) Referred to Finance Committee.

File 98-0052. [Appropriation, Port Commission] Ordinance appropriating \$2,000,000, Port Commission, of San Francisco Harbor Operating fund balance to fund the costs of repair to the marginal wharves from Pier 1-1/2 to Pier 5 to accommodate the new promenade for the Mid-Embarcadero Roadway Project, for fiscal year 1997-98. RO #97170. (Controller) Referred to Finance Committee.

File 98-0053. [United States, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of United States, et al., against the City and County of San Francisco by payment of \$141,886.00. (Federal District Court, No. C-84-7089 MHP). (City Attorney) Referred to Rules Committee.

File 98-0054. [Leroy and Katherine Looper v. CCSF] Ordinance authorizing settlement of litigation of Leroy and Katherine Looper against the City and County of San Francisco by payment of \$150,000.00. (Superior Court No. 975-683). (City Attorney) Referred to Rules Committee.

File 98-0057. [Salary Ordinance Amendment, Ethics Commission] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Ethics Commission, reflecting the creation of 1.41 new positions; companion measure to Files 98-0050 and 64-97-22. (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0019. [Grant - Private] Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend retroactively a grant in the amount of \$63,000 from the Henry J. Kaiser Family Foundation to fund the Using New Technologies to Identify Persons at Highest Risk for HIV Project; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0020. [Grant - Federal] Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of \$337,800 from the Health Resources and Services Administration to continue funding the Uniform Reporting System Project; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0021. [Grant - State] Resolution authorizing the Department of Public Health, Division of Public Health, to accept and expend retroactively a grant of \$169,500 from the California Department of Health Services WIC Branch, for smoking cessation services; providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0022. [Grant - State] Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of \$15,000 from the State Department of Health Services for the Surveillance for Variant and Drug Resistant Strains of HIV Project; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0023. [Grant - Federal] Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of \$361,161 from the Center for Disease Control for the Condoms and Alternative HIV/AIDS Prevention Methods Project; providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0026. [Revocable Permit - 575 Harrison Street] Resolution granting revocable permission to UMB Corporation to temporarily close and occupy the southerly sidewalk and portion of the street area on Harrison Street during construction operations at 575 Harrison Street (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 98-0055. [Grant - Major Narcotic Vendor Prosecution] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$135,501 made available through the Office of Criminal Justice Planning for a project entitled "Major Narcotic Vendor Prosecution Program" for the twelve month period of July 1, 1997 through June 30, 1998. (Mayor) Referred to Housing and Neighborhood Services Committee.

File 98-0056. [Grant - San Francisco Drug Abatement Program] Resolution authorizing retroactively the District Attorney, Chief of Police, Sheriff, and Chief Adult Probation Officer of the City and County of San Francisco to apply for, accept, and expend funds in the amount of \$715,469.00 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Drug Abatement Program" for the twelve month period July 1, 1997 through June 30, 1998. (Mayor) Referred to Housing and Neighborhood Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yee, that letter be sent to Director, Human Rights Commission, requesting a copy of the draft or final report on the disparity study by Mason Tillman Associates.

By Supervisor Ammiano, that letter be sent to City Attorney requesting review and report on whether or not Municipal Railway's policy to restrict public comments by employees on Muni issues is a violation of San Francisco Administrative Code Section 16.402, which prohibits use or attempted use of official authority or influence to interfere with disclosure of information, civil damages, disciplinary action.

By Supervisor Katz, that City Attorney implement a mandatory training program for all supervisory level City employees regarding the issues of sexual harassment and discrimination, outlining the legal issues and spelling out the appropriate investigatory steps for supervisors and managers to take, in order to identify, investigate and prevent unlawful conduct.

By Supervisor Newsom, that letter of inquiry be sent to Chief of Police to determine the amount of speeding violations on Park Merced Boulevard in the last six months, the possibility of increased police presence or installation of a radar sign on Park Merced Boulevard and the amount of "driving under the influence" arrests that were made on New Year's Eve in San Francisco.

By Supervisor Newsom, that letter be sent to Director, Department of Parking and Traffic, concerning parking meter accuracy, to inquire what measures the department is taking to insure that customers receive the full time value for their change deposited into parking meters.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Ken Azbil (Supervisors Bierman, Medina, Katz, Yaki)
Evelyn Rocco (Supervisor Katz)
Rhoda Pearson Duckett (Supervisor Brown)
Winsome Thayer (Supervisor Medina)
Golda Hall (Supervisors Yaki, Bierman)

Unanimously adopted by a rising vote.

Monday, January 12, 1998

ADJOURNMENT

There being no further business, the Board at the hour of 3:07 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 23, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Tuesday, January 20, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, January 20, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Quorum present.

Disability Awareness Day

Members of the Board of Supervisors participated in the Third Annual Disability Awareness Day along with the District Attorney and other City department personnel. Various Supervisors were in wheelchairs or carried canes.

Suspension of the Rules
Presentation of Guests

Supervisor Yee introduced and welcomed Mr. Bryon Yan and Hons Wong.

Supervisor Yee, seconded by Supervisor Newsom, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mr. Yan.

No objection and motion carried.

Mr. Yan presented Mr. Hons Wong, the first place winner of the Second Annual Disability Awareness Poster Contest sponsored by the Independent Living Resource Center, Sing Tao Daily, China Radio and KPST, Channel 65. There were 172 entries which included many school children, seven of which received honors for their participation.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Ammiano requested that the following measure be severed from the consent Calendar and considered separately.

Recommendation of Finance Committee

Finally Passed

[Closed Sessions for Assessing Merit]

Ordinance amending Administrative Code, the San Francisco Sunshine Ordinance, to allow executive compensation committee to meet in closed session when evaluating an employee's performance to determine whether to award merit increases in compensation. (Supervisor Kaufman)

File 97-97-74, Ordinance No. 37-98

(Amends Section 67.10.)

Finally passed by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 7.

Noes: Supervisors Ammiano, Bierman, Medina - 3.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Appropriation, Department of Public Health]

Ordinance appropriating \$293,143, Department of Public Health-Community Health Service, of the General Fund Reserve, to fund the ambulatory health and mental health care services at the new Treasure Island jail facility and for the creation of 9.4 new positions for fiscal year 1997-98, placing \$293,143 on reserve; companion measure to File 102-97-13. (Controller)

File 101-97-38, Ordinance No. 38-98

Finally passed.

[Salary Ordinance Amendment, Department of Public Health]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Service, reflecting the creation of 9.4 positions; companion measure to File 101-97-38. (Department of Human Resources)

File 102-97-13, Ordinance No. 44-98

Finally passed.

[Appropriation, Department of Public Health-SFGH]

Ordinance appropriating \$158,049, Department of Public Health-San Francisco General Hospital, of the General Fund-Salary and Benefits to provide funding for additional patient care hours as specified in the Memorandum of Understanding between the City and County and SEIU Local 790 (Nurses), and for the creation of 5.24 positions for fiscal year 1997-98; companion measure to File 102-97-15. (Controller)

File 101-97-40, Ordinance No. 39-98

Finally passed.

[Salary Ordinance Amendment, DPH-SFGH]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Network, reflecting the net creation of 5.24 new positions; companion measure to File 101-97-40. (Department of Human Resources)

File 102-97-15, Ordinance No. 45-98

Finally passed.

[Appropriation, Port Commission]

Ordinance appropriating \$3,500,000, Port Commission, of San Francisco Harbor Operating Fund Loan Revenue, to fund the costs for the design and construction of Hyde Street fishing harbor for fiscal year 1997-98, placing \$3,229,700 on reserve. (Controller)

File 101-97-44, Ordinance No. 40-98

Finally passed.

[Appropriation, Department of Building Inspection]

Ordinance appropriating \$261,914, Department of Building Inspection, of Building Inspection fund balance to replenish the Repair and Demolition Fund for fiscal year 1997-98. (Controller)

File 101-97-46, Ordinance No. 41-98

Finally passed.

[Appropriation, City Attorney]

Ordinance appropriating \$824,009 from the General Fund Reserve-Litigation for salaries and fringe benefits for the City Attorney for fiscal year 1997-98. (Mayor)

File 101-97-53, Ordinance No. 42-98

Finally passed.

[Appropriation, Department of Public Works]
Ordinance appropriating \$10,790,000, including \$7,000,000, Department of Public Works, from Earthquake Safety Improvement Fund interest earned and rescinding and appropriating \$3,790,000 from various projects, to fund the cost of construction of new utility systems at the San Francisco Zoo for fiscal year 1997-98, placing \$10,790,000 on reserve. (Controller)

File 101-97-54, Ordinance No. 43-98

Finally passed.

[Settlement of Claim]
Ordinance approving the settlement of the City's claims against MCT, mechanical and electrical design subconsultant for the new Sheriff's facility, by receipt of \$400,000 to the City. (City Attorney)

File 46-97-12, Ordinance No. 33-98

(S.F. Superior Court No. 976083.)

Finally passed.

[MOU, MEA Police, Bargaining Unit P3]
Ordinance implementing the provisions of a Memorandum of Understanding between the Municipal Executives Association and the City and County for Bargaining Unit P3 to be effective July 1, 1992 through June 30, 2001. (Department of Human Resources)

File 93-97-3, Ordinance No. 34-98

(Fiscal Impact.)

Finally passed.

[San Francisco Refunding Revenue Bonds]
Ordinance amending Administrative Code providing for the debt service savings test for issuance of Refunding Revenue Bonds without voter approval. (Supervisor Kaufman)

File 97-97-65, Ordinance No. 35-98

(Amends Section 55.1;
Adds a new Section 55.06.)

Finally passed.

[Cash Difference and Overage Funds]
Ordinance amending Administrative Code concerning Cash Difference Fund and Overage Fund, to add the Public Utilities Commission Customer Service Bureau to the list of departments to which Section 10.88 applies. (Mayor Willie L. Brown, Jr.)

File 97-97-66, Ordinance No. 36-98

(Amends Section 10.88.)

Finally passed.

[Competitive Bidding Exemption]
Ordinance waiving competitive bid requirements for the Recreation and Park Commission's award of contracts to the San Francisco Conservation Corps for renovation of play areas at Gilman Playground and Herz Playground. (Recreation and Park Department)

File 172-97-77.1, Ordinance No. 46-98

Finally passed.

Adopted

[Emergency Repair, Pier 1-1/2 Building]
Resolution approving a declaration of emergency for architectural and engineering services to repair a collapsed wall of the Pier 1-1/2 Bulkhead building, Port of San Francisco, \$240,000; retroactive to October 11, 1997. (Port Commission)

File 28-97-10, Resolution No. 27-98

Adopted.

[Lease Amendment, 480 Second Street]

Resolution authorizing amendment to a lease of real property at 480 Second Street, for the Office of Citizen Complaints. (Real Estate Department)

File 64-97-20, Resolution No. 30-98

Adopted.

[Amendment, 3COM Park Parking Lot Agreement]

Resolution approving a Second Amendment to the 3COM (Candlestick) Park Parking Lot Operating Agreement between the City and County and the San Francisco Giants extending the agreement until December 31, 1999 to coincide with the amended stadium lease between the City and the San Francisco Giants unless the parties agree to further extend the agreement due to force majeure in the construction of Pacific Bell Park and adding new provisions required under City ordinances and deleting a provision no longer required under City ordinance. (Recreation and Park Department)

File 172-97-78, Resolution No. 33-98

Adopted.

Recommendations of Rules Committee

Passed for Second Reading

[Lam v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Hok Bew Lam against the City and County by payment of \$40,000. (City Attorney)

File 45-97-128, Ordinance No.

(Superior Court No. 978-098.)

Passed for second reading.

Adopted

[Settlement of Claim, Dwight Jauch]

Resolution approving the settlement of unlitigated claim of Dwight Jauch by payment of \$30,000.00. (City Attorney)

File 48-97-78, Resolution No. 28-98

Adopted.

[Settlement of Claim, Angelo and Yvonne Sangiacomo]

Resolution approving the settlement of unlitigated claim of City and County of San Francisco against Angelo and Yvonne Sangiacomo for \$539,160.25. (City Attorney)

File 49-97-3, Resolution No. 29-98

Adopted.

[Appointment]

Resolution appointing member to the Bay Area Library and Information System Advisory Board, for a new two-year term ending December 31, 1999. (Rules Committee)

File 92-97-56, Resolution No. 32-98

(Virginia Gee, succeeding herself, Seat No. 21301, must represent public at large and underserved residents, term expired.)

Adopted.

[Appointments]

Resolution appointing members to the Lead Poisoning Prevention Citizens Advisory Committee, terms expired, for new four-year terms ending August 20, 2001; and making findings waiving residency requirement. (Rules Committee)

File 98-0085, Resolution No. 37-98

(Nikkie Ho, succeeding herself, Seat No. 26604, must represent a tenant organization; Dianne C. Velleno, succeeding herself, Seat No. 26610, must have expertise in State preschools; Michael Miller, succeeding himself, Seat No. 26614, must have expertise in real estate.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Appointment of President Pro Tempore

At the request of the President, Supervisor Newsom assumed the Chair so the President could participate in the debate from the floor.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Consideration Continued

(Supervisor Kaufman dissenting in Committee.)

[Appropriation, Department of Public Health]
Ordinance appropriating \$1,033,415, including an additional \$262,415, Department of Public Health-Community Health Service, from Medi-Cal and MediCare Revenues and transferring \$771,000 of visiting nurse hospice group contracts to fund the newly created Community Health Network Home Health Agency and for the creation of 28.2 new positions; providing for ratification of action previously taken; companion measure to File 102-97-16. (Controller)

File 101-97-45, Ordinance No.

(January 12, 1998 - Consideration continued to January 20, 1998.)

Supervisor Brown, seconded by Supervisor Medina, moved to continue consideration to February 2, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Noes: Supervisors Kaufman, Newsom - 2.

(Supervisor Kaufman dissenting in Committee.)

[Salary Ordinance Amendment, Department of Public Health]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Service, reflecting the creation of 28.2 new positions; companion measure to File 101-97-45. (Department of Human Services)

File 102-97-16, Ordinance No.

(January 12, 1998 - Consideration continued to January 20, 1998.)

Supervisor Brown, seconded by Supervisor Medina, moved to continue consideration to February 2, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki, Yee - 8.

Noes: Supervisors Kaufman, Newsom - 2.

Request Granted

At the request of Supervisor Teng, Clerk directed to send letter to Director, Department of Public Health, to request an analysis of the cost savings to implement this program in writing and that the Controller's office is requested to provide assistance to the department to give the Board the most accurate fiscal analysis.

The President resumed the chair.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation/Settlement of Lawsuit, Fire Department]

Ordinance appropriating \$900,000, Fire Department, from the General Fund Litigation Reserve balance to claims and judgments, for fiscal year 1997-98 and authorizing settlement of litigation between Odelia Braun and the City and County by payment of \$900,000 plus 8.5% simple interest to accrue beginning December 16, 1997. (Controller)

File 101-97-47, Ordinance No.

(Superior Court Case No. 969-799.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Consideration Continued

[MOU, Fire Rescue Paramedics, Local 790]

Ordinance adopting and implementing the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County for the H-1 Fire Rescue Paramedics to be effective for the period July 1, 1997 through June 30, 1999. (Mayor Willie L. Brown Jr.)

File 93-97-49, Ordinance No.

(Fiscal Impact.)

Supervisor Ammiano, seconded by Supervisor Bierman, moved to continue consideration to January 26, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Passed for Second Reading

[Appropriation, Department of Telecommunications]

Ordinance appropriating \$31,192,525, Department of Telecommunications, of lease revenue bond fund proceeds for professional services (first phase of Motorola contract) to provide Citywide Emergency Radio System. (Mayor)

File 98-0018, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted

[Lease of Property at 165 Fell Street]

Resolution authorizing lease of real property at 165 Fell Street, for the Department of Human Services; approval is contingent on Human Rights Commission certification that lessor is in compliance with Equal Benefits Ordinance. (Real Estate Department)

File 64-97-21, Resolution No. 31-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recommendations of Rules Committee

Adopted

[Off Site Board Meeting, March 2, 1998]

Motion ordering the March 2, 1998, meeting of the San Francisco Board of Supervisors to be held at the Sunnydale Housing Project Community Center, 1654 Sunnydale, in the Visitacion Valley Community (at 6:00 p.m.). (Supervisors Ammiano, Teng)

File 54-97-12, Motion No. M98-7

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Supervisor Teng requested to be added as co-sponsor.

[Rules of Order, Audit Committee]

Motion amending the Rules of Order to revise the composition and duties of the Audit Committee of the Board of Supervisors (adds new Rule 6.20; renumbering; repeals Rule 5.7). (Supervisors Kaufman, Leal, Brown, Yaki, Newsom, Katz, Bierman, Medina, Teng)

File 56-97-7, Motion No. M98-8

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Supervisor Teng requested to be added as co-sponsor.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Cole Roland, support regulation of skateboarders;
Worldwind Dreamer, civil rights;
Mary Robins, supports Fillmore Center resolution;
John Chung, Asian American Firefighters H-3 contract;
Essie Collins, opposes Fillmore Center resolution;
Anthony Lincoln, supports Fillmore Center resolution;
Jeffrey Townsend, supports Fillmore Center resolution;
Walter Johnson, supports Fillmore Center resolution.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Commend Kathy Files Lacey]

Resolution recognizing Kathy Files Lacey for her years of service to the United States Senate and commending her for her many contributions to the State of California and its people. (Supervisors Kaufman, Teng)

File 98-0068, Resolution No. 34-98

(January 12, 1998 - Consideration continued to January 20, 1998.)

Adopted.

Supervisor Teng requested to be added as co-sponsor.

[Proclaim Lunar New Year, Year of the Tiger]

Resolution commemorating the Year of the Tiger and extending heartfelt wishes for a prosperous New Year and declaring January 28, 1998 to be "Lunar New Year's Day" in San Francisco. (Supervisors Teng, Kaufman, Katz, Bierman)

File 98-0069, Resolution No. 35-98

(January 12, 1998 - Consideration continued to January 20, 1998.)

Adopted.

Supervisors Katz, Bierman requested to be added as co-sponsor.

[Market Street Closure Economic Impact Report]

Resolution urging the Mayor to direct the Office of Economic Development to conduct an economic impact report on the proposal to limit private vehicular traffic on Market Street. (Supervisors Yaki, Kaufman, Teng)

File 98-0072, Resolution No. 36-98

(January 12, 1998 - Consideration continued to January 20, 1998.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 98-0078, Motion No. M98-9

(January 12, 1998 - Consideration continued to January 20, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yee - 8.

Absent: Supervisors Teng, Yaki - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Brown, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yee - 8.

Absent: Supervisors Teng, Yaki - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Brown, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yee - 8.

Absent: Supervisors Teng, Yaki - 2.

[Imperative Resolution]

Adopted

[Commend Sharon Studio Staff]

Resolution recognizing Virginia Banta, Constance Flannery, Richard Leaf, Patti McKay, Kitty Chiles McInerney, Len Price and Lynn Wood for their extraordinary dedication to their art and profession, and proclaiming February 7, 1998 as Art Instructors Day in San Francisco.

File 98-0113, Resolution No. 38-98

Supervisors Medina, Bierman presented for immediate adoption.

Supervisor Brown, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yee - 8.

Absent: Supervisors Teng, Yaki - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Special Bond Election, June 2, 1998]

Ordinance calling and providing for a special election to be held in the City and County on Tuesday, June 2, 1998, for the purpose of submitting to the voters of the City and County a proposition to incur bonded indebtedness of the City and County in the principal amount of \$95,000,000 for the acquisition, construction and/or reconstruction of a new museum facility in Golden Gate Park to replace the M. H. de Young Memorial Museum including funding for improvements to Golden Gate park in the areas appurtenant to, or which provide access to, the de Young Museum; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; waiving the time limit requirements of Section 2.34 of the Administrative Code relating to time of adoption of this resolution before the election; waiving certain requirements of Sections 2A.52 and 2A.53 of the Administrative Code relating to the requirement for General Plan referral reports; waiving the requirements of Sections 2.30-1, 3.20, 3.21 and 3.22 of the Administrative Code relating to submission of proposed capital improvement projects to the Capital Improvement Advisory Committee; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the special election with the consolidated municipal primary election already scheduled for June 2, 1998; providing that the election precincts, voting places and officers for election shall be the same as the consolidated municipal primary election scheduled for June 2, 1998; and waiving the work limitation on ballot propositions imposed by San Francisco Municipal Code Section 510. Supervisors Yaki, Teng, Yee, Katz, Brown, Kaufman, Newsom presented. Referred to Finance Committee with request it be considered at the February 11, 1998 meeting.

File 98-0110.

[Hotel Tax Exception] Ordinance amending Municipal Code, Part III, by amending Section 506 to raise the rent levels that qualify for exemption from the (transient occupancy) tax. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-0108.

[Underground District No. 334]

Ordinance creating Underground District No. 334 in the Broad Street/Randolph Street/19th Avenue area. Supervisors Medina, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0111.

[Underground District No. 335]

Ordinance creating Underground District No. 335 in the Upper Folsom area. Supervisors Medina, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0112.

[de Young Museum General Obligation Bonds]

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction and/or reconstruction by the City and County of a new museum facility in Golden Gate Park to replace the M. H. de Young Memorial Museum and all other works, property and structures necessary or convenient for the foregoing purposes, including funding for improvements to Golden Gate Park in the areas appurtenant to, or which provide access to, the de Young Museum, and that the estimated cost of \$95,000,000 for such municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require the incurring of bonded indebtedness. Supervisors Yaki, Teng, Yee, Katz, Brown, Kaufman, Newsom presented. Referred to Finance Committee with request it be considered at the February 4, 1998 meeting.

File 98-0109.

Referred to Board

[Commend Rita Douglas]

Resolution commending Rita Douglas for thirty-two and one half years of public service as a nurse with San Francisco's Department of Public Health. Supervisors Brown, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0114.

[Commend Juewan Chin]

Commending Juewan Chin for his artistic achievements and urging the San Francisco Art Commission in observance of the Lunar New Year celebration to exhibit Juewan Chin's masterpieces in the War Memorial Building. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0115.

[Professional Golf Association]

Resolution urging the Professional Golf Association (PGA) to adopt policies that would not discriminate or exclude people with disabilities or other medical challenges, as stated in the American with Disabilities Act. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0116.

[Medical Equipment]

Resolution urging the City Attorney to research liability issues surrounding the reuse of durable medical equipment and urging the Director of Public Health to research reuse of durable medical equipment at San Francisco General Hospital and City health clinics. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0117.

[Card Key Lock, Residential Buildings]

Resolution urging the Rent Stabilization Board, the Department of Building Inspection and the City Attorney to prepare report on the effects of card key lock installation on building tenants and to develop recommendations for potential regulations governing key distribution to tenants. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0118.

[African American Democratic Club]

Resolution expressing the support of the San Francisco Board of Supervisors for the African American Democratic Club. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0119.

[Over The Counter Pharmaceutical Labeling]

Resolution supporting the Food and Drug Administration (FDA) proposed revisions to over-the-counter (OTC) drug labeling regulations that would advise consumers to consult with their "doctor or pharmacist" about certain aspects of OTC medication interactions. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0120.

[Fillmore Center]

Resolution supporting the local and minority ownership of the Fillmore Center, urging the Redevelopment Agency to ensure that potential owners understand and are capable to discharging applicable obligations of the tax regulatory agreement and land disposition agreement, and urging the Redevelopment Agency exercise its discretion in reviewing the sale in a public meeting so that the community may comment. Supervisors Medina, Brown, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0121.

[Child Care Plan]

Resolution urging Congress to adopt President Clinton's child care plan. Supervisors Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0122.

[High-Tech Grants]

Resolution seeking grants issued by the U. S. Departments of Labor, Education and Commerce for high tech jobs and bringing high technology to low-income areas of San Francisco. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0123.

[Just Desserts Inc. Project]

Resolution authorizing the sale by the California Statewide Communities Development Authority of equipment only purchase program notes in an aggregate principal amount not to exceed \$1,000,000 for Just Desserts, Inc. (or a related entity). Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0124.

Referred to Committee

[Charter Amendment-Water Department Revenue Fund]

Charter Amendment (Second Draft) amending Charter Section 16.103 thereof and adding Section 16.103-1 thereto, to establish a separate revenue fund for the deposit of revenues generated from the Water Department, and to provide a priority schedule for expenditures paid from this fund. Supervisor Kaufman presented. Referred to Rules Committee.

File 287-97-001.

Requests for Hearings:

[Community Bike Program]

Hearing to consider the status of free community bikes three month pilot project. Supervisor Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 98-0125.

[Free Muni Service on New Year's Eve]

Hearing to consider authorizing free Municipal Railway services on New Year's Eve. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0126.

[Muni Quality Management Program]

Hearing to consider implementation of quality management program for the San Francisco Municipal Railway which would be incorporated into the State mandated annual safety training day and would include training in, but not limited to these areas: customer service, disability awareness, hate crimes and the free ride card. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0127.

[Work Force Composition]

Hearing to consider the status of the City's work force composition. Supervisor Yee presented. Referred to Health, Family and Environment Committee.

File 98-0128.

Motion:

Referred to Board

[de Young Museum Ballot Measure, Suspend Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, measures necessary to place on the June 1998 ballot propositions relating to the financing and operation of the de Young Museum in Golden Gate Park. Supervisors Yaki, Teng, Yee, Katz, Brown, Kaufman, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar January 26, 1998.

File 98-0107.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0082. [Clifford Washington, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Clifford Washington, et al., against the City and County of San Francisco by payment of \$320,000. (Superior Court No. 969-668). (City Attorney) Referred to Rules Committee.

File 98-0092. [Appropriation, Public Library] Ordinance appropriating \$1,582,367, Public Library, (\$400,000 from the General Fund Reserve, \$114,367 Budget Incentive Reserve, \$354,000 Fine and Fee Revenues, and \$357,000 Fuhrman Gift Fund and rescinding \$357,000 General Fund Books) to fund salaries, professional services, books and equipment for fiscal year 1997-98. RO #97189. (Controller) Referred to Finance Committee.

File 98-0093. [MOU, Local 250-A (Classification 7410)] Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between the Transport Workers Union, Local 250-A (Classification 7410) and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. (Department of Human Resources) Referred to Finance Committee.

File 98-0094. [MOU, Local 250-A (Multi-Unit)] Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Transport Workers Union, Local 250-A (Multi-Unit) and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. (Department of Human Resources) Referred to Finance Committee.

File 98-0095. [MOU, Local 200] Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Transport Workers Union, Local 200 and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. (Department of Human Resources) Referred to Finance Committee.

File 98-0099. [MOU, Local 856 (Multi-Unit)] Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Teamsters, Local 856 and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution status effective June 30, 1998 following approval of this ordinance by the Mayor. (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0059. [Vehicle Registration Fee, Police Department] Resolution authorizing a fee of one dollar (\$1.00) to be paid at time of vehicle registration renewal, or supplemental application for vehicles registered to an address within the City and County of San Francisco to be used exclusively to fund police programs related to fingerprinting identification of persons committing crimes while operating motor vehicles. (Police Commission) Referred to Finance Committee.

File 98-0060. [Parking Regulations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1425. (Department of Parking and Traffic). Referred to Housing and Neighborhood Services Committee.

File 98-0061. [Traffic Regulations] Resolution enacting and rescinding traffic regulations on various streets. DPT Order 1425. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 98-0081. [Grant - State Funds] Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$427,388 which include indirect costs of \$20,352 from the Office of Criminal Justice Planning for the "Victim and Witness Assistance Program" for the twelve month period of July 1, 1997 through June 30, 1998. (Mayor's Office of Criminal Justice Council) Referred to Housing and Neighborhood Services Committee.

File 98-0083. [Grant - State Funds] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$95,000 available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Assistance Program-Surviving Victims of Homicide" for the twelve month period July 1, 1997 through June 30, 1998, and waiving indirect cost due to funding constraints. (Mayor's Office of Criminal Justice Council) Referred to Housing and Neighborhood Services Committee.

File 98-0084. [Grant - State Funds] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend grant funds not to exceed the amount of \$150,000 including indirect cost not to exceed the amount of \$7,500 made available through the California Office of Criminal Justice Planning for the operation of the "Statutory Rape Vertical Prosecution Program" for the twelve month period August 9, 1997 through August 8, 1998. (Mayor's Office of Criminal Justice Council) Referred to Housing and Neighborhood Services Committee.

File 98-0089. [Intent to Vacate/Sell - Portion of Wawona St.] Resolution declaring intention of the Board of Supervisors to vacate and sell portion of Wawona Street between 18th and 19th Avenues (Block 2478, Lot 13J), setting the hearing date for all persons interested in the proposed vacation and sale, making findings of General Plan conformance and consistency with Planning Code Section 101.1, and authorizing other official actions in connection therewith; companion measure to File 98-0090. (Real Estate Department) Referred to Economic Development, Transportation and Technology Committee.

File 98-0090. [Vacation and Sale - Portion of Wawona St.] Resolution ordering the vacation and sale of portion of Wawona Street between 18th and 19th Avenues (Block 2478, Lot 13J), and authorizing other official actions in connection therewith; companion measure to File 98-0089. (Real Estate Department) Referred to Economic Development, Transportation and Technology Committee.

File 98-0096. [Lease of Property at 3801 Third Street] Resolution authorizing a lease of real property at 3801 Third Street, San Francisco, for the Mental Health Division of the Department of Public Health. (Real Estate Department) Referred to Finance Committee.

File 98-0097. [Grant - State] Resolution authorizing the Department of Public Health, Environmental Health Management Section, to accept and expend grant of \$5,000 which includes indirect costs in the amount of \$699, based on twenty-two percent (22%) of salaries, from the California Department of Fish and Game, Office of Oil Spill Prevention and Response, for providing input into the San Francisco Bay/San Joaquin Delta Area Contingency Plan for oil spills. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0098. [Grant - Federal] Resolution authorizing the Department of Public Health to accept and expend retroactively grant in the amount of \$151,123 from the Centers for Disease Control to fund the Evaluation of Enhanced Partner Notification for Persons Recently Infected with HIV Project; providing for ratification of action previously taken. (Department of Public Health) Referred to Health, Family and Environment Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Newsom, that Budget Analyst study the costs that would be associated with free travel and expanded service for the Municipal Railway on New Year's Eve and report back within two months. The costs shall include overtime for drivers, increased amount of Muni drivers, increased police patrol on Muni, costs associated with the absence of passenger payment, cost of expanded service and underground metro service all night and extension of service through regular lines to the neighborhoods.

By Supervisor Newsom, that the Board of Supervisors policy analyst be requested to research possible alternative funding sources for one day free travel and expanded Municipal Railway service, including government sources, business entities such as insurance companies and alcohol manufacturers that are interested in sponsorship and responsible drinking. The analyst is also requested to search for models in other municipalities.

By Supervisor Teng, that letter be sent to the Mayor requesting an update in 30 days from the Mayor's Office of Children, Youth and their Families on the creation and implementation of the universal child care plan; such as, components needed to accomplish the universal child care plan, timeline and necessary steps to complete the plan and projected costs.

By Supervisor Yee, that letter of inquiry be sent to Chief of Police requesting information in writing on how many citations have been issued for violation of the newly enacted provision in Section 22112 of the Vehicle Code that requires bus drivers to flash red warning lights and signs on the approach to school bus stops at all times when the school bus is stopped for the purpose of loading or unloading pupils, regardless of whether the pupils must cross the highway or private road and how information of the new traffic regulations have been disseminated to the traffic enforcement officers.

By Supervisor Yee, that letter of inquiry be sent to San Francisco Unified School District to determine how the district is informing its bus drivers of the newly enacted provision in Section 22112 of the Vehicle Code that requires bus drivers to flash red warning lights and signs on the approach to school bus stops at all times when the school bus is stopped for the purpose of loading or unloading pupils, regardless of whether the pupils must cross the highway or private road and what type of outreach the district will be doing concerning the change in law.

Motion Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Delores Malone (Supervisor Kaufman)
Albert E. Ellison (Supervisor Ammiano)
Mary Cob (By the entire Board)
Pearlie Hawkins (Supervisor Brown)
Ida Frank (Supervisors Katz, Kaufman)
Vera Daniel (Supervisor Katz)
Patricia Chiesa (By the entire Board)

Tuesday, January 20, 1998

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:34 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 2, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, January 26, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 26, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Quorum present.

Suspension of the Rules

Supervisor Yee, seconded by Supervisor Ammiano, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to various guests.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Presentation of Guests

Supervisor Yee introduced and welcomed Michael Chin, Eric Lau, Patrick Wong and Christian Wong and Mr. Dennis Quinn, President of the Sunset Heights Association of Responsible People.

Mr. Quinn presented Michael Chin and his friends with an award for his quick thinking and their heroic acts by diverting water away from his home and the surrounding area and helped prevent damages to homes in the neighborhood caused by heavy rain.

On behalf of the Board of Supervisors, Supervisor Yee presented each youth with a Certificate of Honor.

Legislative Policy Analysts

President Kaufman introduced and welcomed two of the Board of Supervisors' legislative analysts:

Gail Feldman, Chief Legislative Analyst;
Jon Ballesteros, Senior Legislative Analyst.

Inauguration of Live Television Broadcast

Supervisor Yaki introduced Mr. Zane Blaney, Executive Director, San Francisco Community Television Corporation and General Manager, Citywatch (government access Channel 54)

Mr. Blaney indicated his presence today was to comment briefly on the inauguration of live television broadcasts beginning today from the Board of Supervisors Chamber. Meetings held in the Supervisors' committee room and the Public Library site will also be broadcast live. Mr. Blaney acknowledged the efforts made by various city employees, San Francisco Community Television Corporation staff and TCI. He also recognized the many contributions from live radio coverage from Radio Station KP00.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation/Settlement of Lawsuit, Fire Department]

Ordinance appropriating \$900,000, Fire Department, from the General Fund Litigation Reserve balance to claims and judgments, for fiscal year 1997-98 and authorizing settlement of litigation between Odelia Braun and the City and County by payment of \$900,000 plus 8.5% simple interest to accrue beginning December 16, 1997. (Controller)

File 101-97-47, Ordinance No. 47-98

(Superior Court Case No. 969-799.)

Finally passed.

[Appropriation, Department of Telecommunications]

Ordinance appropriating \$31,192,525, Department of Telecommunications, of lease revenue bond fund proceeds for professional services (first phase of Motorola contract) to provide Citywide Emergency Radio System. (Mayor)

File 98-0018, Ordinance No. 49-98

Finally passed.

Passed for Second Reading

[Appropriation, Dept of Public Health-SFGH]

Ordinance appropriating \$643,223, Department of Public Health, from San Francisco General Hospital Patient Revenue to add unbudgeted patient revenue related to the merger of the UCSF/MT. Zion Workers' Comp Clinic with the San Francisco General Workers' Comp Clinic for fiscal year 1997-98; providing for ratification of action previously taken. (Controller)

File 101-97-41, Ordinance No.

Passed for second reading.

Adopted

[Emergency Repairs, Water Treatment Plant]

Resolution approving expenditure of funds for San Francisco Water Department emergency procurement and repairs for Water Treatment Plant Operations (Sunol Valley and Harry Tracy Water Treatment Plants), totaling \$4,250,000. (Public Utilities Commission)

File 28-97-11, Resolution No. 40-98

Adopted.

Recommendation of Rules Committee

Finally Passed

[Lam v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Hok Bew Lam against the City and County by payment of \$40,000. (City Attorney)

File 45-97-128, Ordinance No. 48-98

(Superior Court No. 978-098.)

Finally passed.

Recommendations of Economic Development, Transportation
and Technology Committee

Adopted

[Grant - State Funds]

Resolution authorizing retroactively the Director of Public Works to expend up to \$2,065,993 from the State of California for roadway work on City streets in accordance with the State-Local Transportation Partnership Program (8th Cycle); waiving indirect costs; placing \$1,561,936 on reserve. (Department of Public Works)

File 148-97-6, Resolution No. 42-98

Adopted.

[Revocable Permit - 575 Harrison Street]

Resolution granting revocable permission to UMB Corporation to temporarily close and occupy the southerly sidewalk and a portion of the street area on Harrison Street during construction operations at 575 Harrison Street. (Department of Public Works)

File 98-0026, Resolution No. 44-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Passed for Second Reading

[MOU, Fire Rescue Paramedics, Local 790]

Ordinance adopting and implementing the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County for the H-1 Fire Rescue Paramedics to be effective for the period July 1, 1997 through June 30, 1999. (Mayor Willie L. Brown Jr.)

File 93-97-49, Ordinance No.

(Fiscal Impact.)

(January 20, 1998 - Consideration continued to January 26, 1998.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Appropriation, Dept of Public Health-SFGH]

Ordinance appropriating \$66,663, Department of Public Health, from San Francisco General Hospital Patient Revenues to add unbudgeted patient revenue for services referred by the San Francisco Family Planning Program and Breast and Cervical Cancer Prevention Program and to support the San Francisco General Hospital pathology laboratory for fiscal year 1997-98; providing for report in six months. (Controller)

File 101-97-42, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Adopted

[Prop J Contract, Janitorial/Landscape Contract]

Resolution concurring with the Controller's certification that janitorial and landscape maintenance services at three Department of Parking and Traffic Office sites and twenty two neighborhood off-street parking facilities can be performed by private contractor for lower cost than similar services performed by City and County employees; providing for retroactive authorization of contract to January 1, 1998. (Department of Parking and Traffic)

File 25-97-18, Resolution No. 39-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Public Utilities Commission Land Sale]

Resolution approving sale of land at Hamlin Court in Sunnyvale to W. Leslie Pelio for the amount of \$728,000 and authorizing execution of agreement for sale of real estate, quitclaim deed and declaration of covenants, conditions and restrictions and grant of easement. (Real Estate Department)

File 96-97-5, Resolution No. 41-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Recommendations of Economic Development, Transportation
and Technology Committee

Passed for Second Reading

[Update of Public Works Code]

Ordinance amending Article XX, Public Works Code, which defines certain terms used in the Article, by removing obsolete reference to Fire Code in the definition given for "Hazardous Waste." (Clerk of the Board)

File 123-97-9, Ordinance No.

(Amends Section 1000.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Adopted as Amended

[Treasure Island Development Authority]

Resolution designating the Treasure Island Development Authority as the Redevelopment Agency and Local Reuse Authority for the conversion of Naval Station Treasure Island and requiring a report from the Authority regarding competitive bidding, leasing, appointment of a Citizen's Advisory Committee, and integration with the City's planning process. (Mayor Willie L. Brown, Jr.)

File 244-97-7, Resolution No. 43-98

Supervisor Yaki, seconded by Supervisor Teng, moved to amend page five, line 11, after "Initiative" by inserting "currently in existence or" and amend page five, line 21 by adding: "Further Resolved, That in conformance with existing state law gambling is a prohibited activity on Treasure Island."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Yee - 2.

Absent: Supervisor Katz - 1.

Supervisor Katz Excused

President Kaufman announced she had excused Supervisor Katz from the remainder of the meeting.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Reuben Goodman, supports methadone access waiver request.

Suspension of the Rules

Early in the meeting, Supervisor Yaki, seconded by Supervisor Teng, moved to suspend the rules of the Board of Supervisors to take the following item out of order.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Yaki requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[de Young Museum Ballot Measure, Suspend Rule]
Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, measures necessary to place on the June 1998 ballot, propositions relating to the financing and operation of the de Young Museum in Golden Gate Park. (Supervisors Yaki, Teng, Yee, Katz, Brown, Kaufman, Newsom)

File 98-0107, Motion No. M98-10

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Public Comment

The privilege of the floor was granted to the following persons:

Thomas, oppose action at this time;
Terry Rodery, environmental issues need to be considered.

There being no one else wishing to speak, the President closed the public comment portion on this item.

The roll was then called on the main motion and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

For Adoption Without Committee Reference Calendar

Severed from For Adoption Without Committee Reference Calendar

Supervisor Medina requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Fillmore Center]
Resolution supporting ((the)) local and minority ownership ((of the Fillmore Center)), urging the Redevelopment Agency to ensure that potential owners understand and are capable to discharging applicable obligations of the tax regulatory agreement and land disposition agreement, and urging the Redevelopment Agency exercise its discretion in reviewing the sale in a public meeting so that the community may comment. (Supervisors Medina, Brown, Bierman)

File 98-0121, Resolution No. 52-98

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Supervisor Medina, seconded by Supervisor Brown, moved to amend title, lines one and two, after "supporting" by deleting "the" and after "ownership" by deleting "of the Fillmore Center"; amend page two, line four, after "ownership" by deleting "of the Fillmore Center".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Rita Douglas]

Resolution commending Rita Douglas for thirty-two and one half years of public service as a nurse with San Francisco's Department of Public Health. (Supervisors Brown, Bierman, Katz)

File 98-0114, Resolution No. 45-98

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Adopted.

Supervisor Katz requested to be added as co-sponsor.

[Commend Juewan Chin]

Resolution commending Juewan Chin for his artistic achievements and urging the Arts Commission in observance of the Lunar New Year celebration to exhibit Juewan Chin's masterpieces in the War Memorial Building. (Supervisors Teng, Katz)

File 98-0115, Resolution No. 46-98

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Adopted.

Supervisor Katz requested to be added as co-sponsor.

[Professional Golf Association]

Resolution urging the Professional Golf Association (PGA) to adopt policies that would not discriminate or exclude people with disabilities or other medical challenges, as stated in the American with Disabilities Act. (Supervisors Ammiano, Medina, Bierman)

File 98-0116, Resolution No. 47-98

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Adopted.

Supervisors Medina, Bierman requested to be added as co-sponsors.

[Medical Equipment]

Resolution urging the City Attorney to research liability issues surrounding the reuse of durable medical equipment and urging the Director of Public Health to research reuse of durable medical equipment at San Francisco General Hospital and City health clinics. (Supervisors Ammiano, Bierman, Medina)

File 98-0117, Resolution No. 48-98

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Adopted.

Supervisor Medina requested to be added as co-sponsor.

[Card Key Lock, Residential Buildings]

Resolution urging the Rent Stabilization Board, the Department of Building Inspection and the City Attorney to prepare report on the effects of card key lock installation on building tenants and to develop recommendations for potential regulations governing key distribution to tenants. (Supervisors Amiano, Bierman, Katz, Medina)

File 98-0118, Resolution No. 49-98

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Adopted.

Supervisors Katz, Medina requested to be added as co-sponsors.

[African American Democratic Club]

Resolution expressing the support of the San Francisco Board of Supervisors for the African American Democratic Club. (Supervisors Brown, Bierman)

File 98-0119, Resolution No. 50-98

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Adopted.

Supervisor Bierman requested to be added as co-sponsor.

[Over The Counter Pharmaceutical Labeling]

Resolution supporting the Food and Drug Administration (FDA) proposed revisions to over-the-counter (OTC) drug labeling regulations that would advise consumers to consult with their "doctor or pharmacist" about certain aspects of OTC medication interactions. (Supervisors Katz, Bierman)

File 98-0120, Resolution No. 51-98

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Adopted.

Supervisor Bierman requested to be added as co-sponsor.

[Child Care Plan]

Resolution urging Congress to adopt President Clinton's child care plan. (Supervisors Teng, Bierman, Katz, Medina)

File 98-0122, Resolution No. 53-98

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Adopted.

Supervisors Katz, Medina requested to be added as co-sponsors.

[High-Tech Grants]

Resolution seeking grants issued by the U. S. Departments of Labor, Education and Commerce for high tech jobs and bringing high technology to low-income areas of San Francisco. (Supervisor Yee)

File 98-0123, Resolution No. 54-98

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Adopted.

[Just Desserts Inc. Project]

Resolution authorizing the sale by the California Statewide Communities Development Authority of equipment only purchase program notes in an aggregate principal amount not to exceed \$1,000,000 for Just Desserts, Inc. (or a related entity). (Supervisor Kaufman)

File 98-0124, Resolution No. 55-98

(January 20, 1998 - Introduced in Board for consideration on January 26, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Special Bond Election, June 2, 1998]

Substitute ordinance calling and providing for a special election to be held in the City and County on Tuesday, June 2, 1998, for the purpose of submitting to the voters of the City and County a proposition to incur bonded indebtedness of the City and County in the principal amount of \$95,000,000 for the acquisition, construction and/or reconstruction of a new museum facility in Golden Gate Park to replace the M. H. de Young Memorial Museum including funding for improvements to Golden Gate park in the areas appurtenant to, or which provide access to, the de Young Museum; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; waiving Administrative Code Section 2.34 relating to time of adoption of this resolution before the election; waiving Administrative Code Sections 2A.52 and 2A.53 relating to the requirement for General Plan referral reports; waiving Administrative Code Sections 2.30-1, 3.20, 3.21 and 3.22 relating to submission of proposed capital improvement projects to the Capital Improvement Advisory Committee; waiving the requirements of Section 305 of the Municipal Election Code relating to rules for submission of ordinances and charter amendments by the Board of Supervisors; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the special election with the consolidated municipal primary election already scheduled for June 2, 1998; providing that the election precincts, voting places and officers for election shall be the same as the consolidated municipal primary election scheduled for June 2, 1998; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Code Section 510. Supervisors Yaki, Teng, Yee, Katz, Brown, Kaufman, Newsom presented. Referred to Finance Committee with request it be considered at the February 11, 1998 meeting.

File 98-0140.

[Appropriation, Department of Public Health]

Ordinance appropriating \$1,500,000, Department of Public Health-Community Health Service, from Community Health Service Tobacco Settlement Revenue, to fund for health education, promotion and enforcement programs to discourage smoking among minors, and for the creation of two (2) new positions for fiscal year 1997-98; companion to File 98-0141. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee with request it be considered at the next meeting.

File 98-0108.

[Annual Salary Ordinance, Dept. of Public Health]

Ordinance amending Annual Salary Ordinance No. 307-97 reflecting the creation of two new positions in the Department of Health, Community Health Service; companion to File 98-0108. Mayor Willie L. Brown Jr. presented. Referred to Finance Committee with request it be considered at its next meeting.

File 98-0141.

[Underground District No. 331]

Ordinance creating Underground District No. 331 in the Texas and 19th Street area. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0142.

[Underground District No. 332]

Ordinance creating Underground District No. 332 in the Duncan and Newberg Street area. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0143.

[Underground District No. 333]

Ordinance creating Underground District No. 333 in the Shotwell and Montezuma Street area. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0144.

Referred to Board

[Commend Espanola Jackson]

Resolution recognizing the community activism and dedication of Espanola Jackson. Supervisors Katz, Brown, Kaufman, Yaki, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 2, 1998.

File 98-0145.

[Proclaim National Day of Remembrance]

Resolution declaring February 19, 1998 a National Day of Remembrance in San Francisco in honor of the 56th Anniversary of Executive Order 9066. Supervisors Yaki, Teng, Yee, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar February 2, 1998.

File 98-0146.

[Regional Transportation Plan]

Resolution supporting the Bay Area Transportation and Land use Coalition's recommendations for the 1998 update of the Regional Transportation Plan and urging the Chair and Executive Director of the Metropolitan Transportation Commission (MTC) to include the coalition's recommendations in the plan update. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar February 2, 1998.

File 98-0147.

[State Legislation, AB 1437, Smog Check II]

Resolution opposing the passage of AB 1437 (Cardoza) or any other legislation that imposes Smog Check II on the Bay Area. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 2, 1998.

File 98-0148.

[Stop Sign, Chestnut Street at Broderick]

Resolution urging the Department of Parking and Traffic to erect Stop signs on Chestnut Street at Broderick Street. Supervisors Yee, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar February 2, 1998.

File 98-0149.

Referred to Committee

[Pay Telephone Fees]

Resolution urging the Department of Telecommunications and Information Services, in its invitation for bid for pay telephone equipment and local service, include the following requirements: that the rate of pay telephones located in City buildings and City facilities be twenty-five cents for local call; and that pay telephones be installed at all underground Muni metro platforms. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0150.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0102. [Competitive Bidding Exemption] Ordinance waiving competitive bid requirements for the Recreation and Park Commission's award of a Public Works contract to the San Francisco Conservation Corps for performance of restoration activities in designated Significant Natural Resource Areas. (Recreation and Park Department) Referred to Finance Committee.

File 98-0131. [MOU, Locals 250, 535 and 790] Ordinance implementing an agreement adjusting the compensation of certain classifications pursuant to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County of San Francisco, to be effective March 1, 1998. (Department of Human Resources) Referred to Finance Committee.

File 98-0132. [MOU, Arbitrator's Award, Locals 250, 535 and 790] Ordinance implementing the Arbitrator's Award dated November 6, 1997 adjusting the compensation of 9212 Airfield Safety Officers

pursuant to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County of San Francisco, such award to be effective retroactively to October 7, 1995. (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0100. [Revocable Permit - 590 Van Ness Avenue] Resolution granting revocable permission to Ryan Construction Company to temporarily close and occupy the north sidewalk on Redwood Alley between Polk Street and Van Ness Avenue and to conduct construction operations at 590 Van Ness Avenue (Block 766, Lot 13). Referred to Economic Development, Transportation and Technology Committee.

File 98-0101. [Used Oil Recycling Grant] Resolution authorizing the City Administrator to apply for, accept and expend \$35,348.00 in additional oil recycling grant funding from the California Integrated Waste Management Board; waiving indirect costs. (Solid Waste Management Program) Referred to Health, Family and Environment Committee.

File 98-0103. [Gift Acceptance] Resolution accepting gifts valued at a total of \$39,370.50 from various donors for use by the Recreation and Park Department. (Recreation and Park Commission) Referred to Housing and Neighborhood Svcs Committee.

File 98-0104. [Sale of Real Property] Resolution approving and authorizing an agreement between the City and County of San Francisco, John L. Dominge, and the University of San Francisco (USF), as sellers, and Charles Figg and Lenore Schreiber, as buyer, providing for the sale of certain real property located at 365-67-69 Haight Street and 60 Laussat Street, San Francisco, including the City's undivided five-twelfths interest in such property, which was bequeathed to the City under the estate of John B. Fortunio, for a total gross sales price of \$619,000; finding that competitive bidding would be impractical or impossible for the sale of this property; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and ratifying prior acts. (Real Estate Department) Referred to Finance Committee.

File 98-0129. [Prop J Contract, Security Guard Services] Resolution concurring with the Controller's certification that security services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Finance Committee.

File 98-0130. [Prop J Contract, Janitorial Services] Resolution concurring with the Controller's certification that janitorial services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Finance Committee.

Requests for Hearings:

[Liquor License Transfer]
Hearing to consider that the transfer of a Type 20 off-sale beer and wine license from 2712 Mission Street (Walgreen Company) to 1745 Folsom Street (Rainbow Grocery) will serve the convenience of the people of the City and County of San Francisco. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee with request it be considered at the February 5, 1998 meeting.

File 98-0151.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar February 2, 1998.

File 98-0152.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that City Attorney prepare ordinance which would impose permanent zoning controls to prohibit specialty grocery and retail coffee stores, subject to specified exceptions, in the 24th Street - Noe Valley Commercial District, as defined in Planning Code Section 728.1.

By Supervisor Newsom, that City prepare ordinance amending Public Works Code Section 957 to incorporate an incentive fee in the annual revenues from public right-of-way telephones, which will encourage providers to keep lower phone rates.

By Supervisor Ammiano, that City Attorney prepare ordinance which would extend rent control to rental units occupied by recipients of tenant-based Section 8 and Housing Opportunities for People with AIDS (HOPWA) housing subsidies.

By Supervisor Ammiano, that letter be sent to Budget Analyst requesting information on how much is spent each year on marijuana related issues delineated by departments.

By Supervisor Ammiano, that follow up letter be sent to City Attorney requesting information concerning what benefits are offered by contractors who are granted Prop J (contracting out) contracts.

Motion Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

George D. Meyer (Supervisor Bierman)
Gertrude Ashley Mayes (Supervisor Ammiano)
Marvin Garcia (Supervisor Medina)
Daniel Solorzano (Supervisor Medina)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:12 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 2, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, February 2, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 2 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Katz, Bierman - 2.

Quorum present.

Supervisor Bierman was noted present at 2:41 p.m.

Supervisor Katz was noted present at 2:40 p.m.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kaufman requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendations of Health, Family & Environment Committee

Adopted as Amended

[Grant - Federal]

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of ((\$361,161))\$306,161 from the Centers for Disease Control for the Condoms and Alternative HIV/AIDS Prevention Methods Project; providing for ratification of action previously taken. (Department of Public Health)

File 98-0023, Resolution No. 67-98

Supervisor Kaufman, seconded by Supervisor Medina, moved to amend title, line three, by replacing "\$361,161" with "\$306,161".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

The Board resumed its consideration of the following items on the Consent Calendar.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Dept of Public Health-SFGH]

Ordinance appropriating \$643,223, Department of Public Health, from San Francisco General Hospital Patient Revenue to add unbudgeted patient revenue related to the merger of the UCSF/MT. Zion Workers' Comp Clinic with the San Francisco General Workers' Comp Clinic for fiscal year 1997-98; providing for ratification of action previously taken. (Controller)

File 101-97-41, Ordinance No. 51-98

Finally passed.

[Appropriation, Dept of Public Health-SFGH]

Ordinance appropriating \$66,663, Department of Public Health, from San Francisco General Hospital Patient Revenues to add unbudgeted patient revenue for services referred by the San Francisco Family Planning Program and Breast and Cervical Cancer Prevention Program and to support the San Francisco General Hospital pathology laboratory for fiscal year 1997-98; providing for report in six months. (Controller)

File 101-97-42, Ordinance No. 52-98

Finally passed.

[MOU, Fire Rescue Paramedics, Local 790]

Ordinance adopting and implementing the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Local 790, and the City and County for the H-1 Fire Rescue Paramedics to be effective for the period July 1, 1997 through June 30, 1999. (Mayor Willie L. Brown Jr.)

File 93-97-49, Ordinance No. 50-98

(Fiscal Impact.)

Finally passed.

Adopted

[Emergency Repair, Geary/23rd Avenue Sewer]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer at the intersection of Geary Boulevard and 23rd Avenue - \$55,783.27. (Public Utilities Commission)

File 28-97-12, Resolution No. 57-98

Adopted.

[Lease Amendment, 1390 Market Street]

Resolution authorizing an amendment of an existing lease of real property at 1390 Market Street for the Ethics Commission. (Real Estate Department)

File 64-97-22, Resolution No. 58-98

Adopted.

[Funds, Local Law Enforcement Block Grant]

Resolution authorizing the Mayor to retroactively apply for, accept and expend a grant in the amount of \$2,796,944 from the U.S. Department of Justice to administer the Local Law Enforcement Block Grant program, and waiving indirect costs. (Mayor Willie L. Brown, Jr.)

File 68-97-9, Resolution No. 59-98

Adopted.

Passed for Second Reading

[Appropriation, Port Commission]

Ordinance appropriating \$2,000,000, Port Commission, of San Francisco Harbor Operating Fund balance to fund the costs of repair to the marginal wharves from Pier 1-1/2 to Pier 5 to accommodate the new promenade for the Mid Embarcadero Roadway Project, for fiscal year 1997-98. (Controller)

File 98-0052, Ordinance No.

Passed for Second Reading.

Adopted

[Lease of Property]

Resolution authorizing a 10-year lease of Public Utilities Commission land between the City and County and SMART SMR of California, Inc., dba Nextel Communications, in the City of Millbrae, San Mateo County. (Public Utilities Commission)

File 98-0007, Resolution No. 62-98

Adopted.

Recommendation of Economic Development, Transportation
and Technology Committee

Finally Passed

[Update of Public Works Code]

Ordinance amending Article XX, Public Works Code, which defines certain terms used in the Article, by removing obsolete reference to Fire Code in the definition given for "Hazardous Waste." (Clerk of the Board)

File 123-97-9, Ordinance No. 53-98

(Amends Section 1000.)

Finally passed.

Recommendations of Health, Family & Environment Committee

Adopted

[Contract, DPH-UC Berkeley]

Resolution authorizing the Director of Public Health to enter into a subcontract in the amount of \$11,359 with the Regents of the University of California (Berkeley), the primary contractor, to provide data and consultation study of the cultural appropriateness of the instruments and approaches being used by Community Mental Health Services (CMHS) to measure client outcomes and satisfaction; retroactive to July 1, 1997. (Department of Public Health)

File 172-97-82, Resolution No. 61-98

Adopted.

[Grant - Private]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend retroactively a grant in the amount of \$63,000 from the Henry J. Kaiser Family Foundation to fund the Using New Technologies to Identify Persons at Highest Risk for HIV Project; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 98-0019, Resolution No. 63-98

Adopted.

[Grant - Federal]

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of \$337,800 from the Health Resources and Services Administration to continue funding the Uniform Reporting System Project; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 98-0020, Resolution No. 64-98

Adopted.

[Grant - State]

Resolution authorizing the Department of Public Health, Division of Public Health, to accept and expend retroactively a grant of \$169,500 from the California Department of Health Services WIC Branch, for smoking cessation services; providing for ratification of action previously taken. (Department of Public Health)

File 98-0021, Resolution No. 65-98

Adopted.

[Grant - State]

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of \$15,000 from the State Department of Health Services for the Surveillance for Variant and Drug Resistant Strains of HIV Project; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health)

File 98-0022, Resolution No. 66-98

Adopted.

Recommendations of Rules Committee

Passed for Second Reading

[M.L.D.K., Inc. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of M.L.D.K., Inc., against the City and County by recognizing a reduction of business taxes due by \$127,770.22. (City Attorney)

File 98-0017, Ordinance No.

(Superior Court No. 984697.)

Passed for second reading.

[United States, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of United States, et al., against the City and County by payment of \$141,886.00. (City Attorney)

File 98-0053, Ordinance No.

(Federal District Court, No. C-84-7089 MHP.)

Passed for second reading.

[Leroy and Katherine Looper v. CCSF]

Ordinance authorizing settlement of litigation of Leroy and Katherine Looper against the City and County by payment of \$150,000.00. (City Attorney)

File 98-0054, Ordinance No.

(Superior Court No. 975-683.)

Passed for second reading.

[Clifford Washington, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Clifford Washington, et al., against the City and County by payment of \$320,000. (City Attorney)

File 98-0082, Ordinance No.

(Superior Court No. 969-668.)

Passed for second reading.

Adopted

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission, for a new four-year term ending December 31, 2001. (Rules Committee)

File 92-97-57, Resolution No. 60-98

(Ashok Kumar Bhatt, succeeding himself, Seat No. 21820, must have interest in and be knowledgeable regarding juvenile delinquency prevention, term expired.)

Adopted.

[Appointment]

Resolution appointing member to the Long-Term Care Pilot Project Task Force for an indefinite term. (Rules Committee)

File 98-0048, Resolution No. 68-98

(Jeffrey Beane, M.D., succeeding Roy Berry, M.D., Seat No. 29908, must represent managed care, resigned.)

Adopted.

[Appointment]

Resolution appointing member to the Lead Poisoning Prevention Citizens Advisory Committee for the unexpired portion of a four-year term ending August 20, 2000. (Rules Committee)

File 98-0049, Resolution No. 69-98

(Jean Wright, succeeding Giulio Francesconi, Seat No. 26611, must have expertise in residential multi-dwellings, resigned.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisors Teng and Yaki assumed the Chair (at different times) so the President could participate in the debate from the floor.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

(Supervisor Kaufman dissenting in Committee.)

[Appropriation, Department of Public Health]

Ordinance appropriating \$1,033,415, including an additional \$262,415, Department of Public Health-Community Health Service, from Medi-Cal and MediCare Revenues and transferring \$771,000 of visiting nurse hospice group contracts to fund the newly created Community Health Network Home Health Agency and for the creation of 28.2 new positions; providing for ratification of action previously taken; companion measure to File 102-97-16. (Controller)

File 101-97-45, Ordinance No.

(January 20, 1998 - Consideration continued to February 2, 1998.)

Motion to Amend Refused Adoption

Supervisor Kaufman, seconded by Supervisor Yaki, moved to amend by adding a Section 4 as follows:

"Section 4: The Department of Public Health shall not expend funds or add staff resources to replace currently funded contractual services with services provided by City staff without the specific prior approval of the Board of Supervisors."

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Kaufman, Teng, Yaki, Yee - 4.

Noes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Newsom - 6.

Motion to Continue Refused Adoption

Supervisor Teng, seconded by Supervisor Yaki, moved to continue consideration for two weeks to allow the department to report on making the program cost neutral to the City.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Kaufman, Teng, Yaki - 3.

Noes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Newsom, Yee - 7.

The roll was then called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Yaki, Yee - 7.

Noes: Supervisors Kaufman, Newsom, Teng - 3.

(Supervisor Kaufman dissenting in Committee.)

[Salary Ordinance Amendment, Department of Public Health]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Service, reflecting the creation of 28.2 new positions; companion measure to File 101-97-45. (Department of Human Services)

File 102-97-16, Ordinance No.

(January 20, 1998 - Consideration continued to February 2, 1998.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Yaki, Yee - 7.

Noes: Supervisors Kaufman, Newsom, Teng - 3.

The President resumed the Chair.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Surplus Goods Donation]

Ordinance amending Administrative Code, to authorize the Director of Purchasing to dispose of surplus goods by donation for reuse or recycling. (Supervisors Brown, Bierman, Teng, Katz)

File 97-97-52, Ordinance No.

(Amends Section 6.01.)

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

In connection with the above item, Supervisors Teng, Katz requested to be added as co-sponsors.

Passed for Second Reading as Amended

[Capital Improvement Advisory Committee]

Ordinance amending Administrative Code, to add the City Administrator as a member of the Capital Improvement Advisory Committee and to provide that the chair of the Capital Improvement Advisory Committee appoint two individuals as members (instead of Department Heads). (Mayor)

File 97-97-67, Ordinance No.

(Amends Section 3.20.)

Supervisor Teng, seconded by Supervisor Medina, moved an amendment of the whole (technical correction to title to add language to define the proposed changes).

New title: "Ordinance amending Administrative Code Section 3.20 to add the City Administrator as a member of the Capital Improvement Advisory Committee (CIAC) and to provide that the Chair of the CIAC appoint two individuals as members of the committee."

Amendment of the Whole adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

Passed for Second Reading

[Appropriation, PUC-Clean Water]

Ordinance appropriating \$3,468,646, Department of Public Utilities-Clean Water, Clean Water Program Fund balance for construction of new Southeast Plant Aeration Basins Influent Channel and design of a Booster Pump Station upgrade for fiscal year 1997-98. (Controller)

File 98-0051, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

Recommendation of Health, Family & Environment Committee

Adopted

[Methadone Administration Waiver]

Resolution urging the Federal Government to provide a waiver to the City and County so that private physicians may administer methadone within their independent discretion and urging the Department of Public Health to apply for such a waiver. (Supervisors Newsom, Katz)

File 13-97-40, Resolution No. 56-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

Recommendation of Rules Committee

Adopted

[Rules of Order, State/Federal Legislation]

Motion amending the Rules of Order to provide that copies of proposed State and Federal legislation shall be submitted with proposed resolutions which would support or oppose such legislation (add Rule 2.34). (Supervisors Newsom, Kaufman)

File 56-97-8, Motion No. M98-11

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

From Rules Committee with Recommendation "Do Submit"

(Pursuant to the provisions of Rule 2.33.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Consideration Continued

[Charter Amendment-Board Members Salary]

Charter Amendment (Second Draft) amending Charter Section 2.100 to increase the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585. (Supervisor Ammiano)

File 285-97-1

Supervisor Yaki, seconded by Supervisor Medina, moved to continue consideration to February 9, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

[Charter Amendment-Loans From State/Federal Govt.]

Charter Amendment (Second Draft) amending Charter Section 9.111 and adding Section 9.111-1 to authorize the City and County and its commissions to clarify the general authority of the City and County and its commissions to incur and refund any indebtedness and to authorize the City and County and its commissions to enter into cost effective loans or other indebtedness with the State of California or the Federal Government under certain circumstances. (Supervisor Kaufman)

File 286-97-1

Supervisor Yaki, seconded by Supervisor Medina, moved to continue consideration to February 9, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

[Charter Amendment-Water Department Revenue Fund]

Charter Amendment (Second Draft) amending Charter Section 16.103 thereof and adding Section 16.103-1 thereto, to (1) establish a separate revenue fund for the deposit of revenues generated from the Water Department, and (2) provide a priority schedule for expenditures paid from this fund. (Supervisor Kaufman)

File 287-97-1

Supervisor Yaki, seconded by Supervisor Medina, moved to continue consideration to February 9, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing appealing decision of the Planning Commission by its Motion No. 14500, dated December 4, 1997, disapproving Conditional Use Application No. 97.588C, for conditional use authorization to allow the conversion of a two-family dwelling to a Bed and Breakfast Inn containing five (5) guests rooms in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District on property located at 377-379 Collingwood Street (aka The Villa); Lot 33, in Assessor's Block 2752.

File 98-0042

(Appeal filed January 5, 1998.)

(Categorically exempt from the environmental review process pursuant to Title 14 of the California Administrative Code.)

(Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge this appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors (401 Van Ness Avenue, Room 308; San Francisco, CA 94102.) at, or prior to, the public hearing.)

Motion to Continue Refused Adoption

The Clerk stated communication from the proprietor of The Villa dated February 2, 1998 requested this matter be continued.

Supervisor Brown, seconded by Supervisor Yaki, moved to continue consideration to February 23, 1998.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Brown, Medina, Yaki - 3.

Noes: Supervisors Ammiano, Bierman, Kaufman, Newsom, Teng, Yee - 6.

Absent: Supervisor Katz - 1.

The following persons were sworn in and granted privilege of the floor:

Appellants: Jeremy Paul; male speaker, General Manager.

Respondents: Bob Passmore, representing Planning Department and Planning Commission; male speaker; Douglas T. Hanks, M.D.; Nellie Keat; Stuart Hendersan; Henry; Arnie Jackson; Collin Patridge; male speaker.

A rebuttal period was allowed.

The President then declared the hearing closed.

From the Clerk of the Board

(Only one of the following two motions should be adopted.)

Adopted

[Appeal, 377-379 Collingwood Street]

Motion approving decision of the Planning Commission by its Motion No. 14500, disapproving Conditional Use Application No. 97.588C, on property located at 377-379 Collingwood Street (also known as The Villa), and adopting findings pursuant to Planning Code Section 101.1.

File 98-0043, Motion No. M98-12

Supervisor Yaki, seconded by Supervisor Newsom, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Tabled

[Appeal, 377-379 Collingwood Street]

Motion disapproving decision of the Planning Commission by its Motion No. 14500, disapproving Conditional Use Application No. 97.588C, on property located at 377-379 Collingwood Street (also known as The Villa), and adopting findings pursuant to Planning Code Section 101.1.

File 98-0044, Motion No.

Supervisor Ammiano, seconded by Supervisor Yaki, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 97.588C, on property located at 377-379 Collingwood Street (also known as The Villa), for action by the Board at its next meeting.

File 98-0045, Motion No. M98-13

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recess

The Board, at the hour of 4:00 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 5:05 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

All members present.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, response by Supervisors to public comment testimony, supervisors participation in other boards or commissions;
Daniel Pieste, football stadium;
Reuben Goodman, supports methadone waiver request;
Patricia Vaughey; neighborhood directory;
Richard Ow, supports city run visiting nurse program;
Aja Monet, police security on Municipal Railway;
Tom Flowers, supports Blocks 202 and 203 as permanent park and named after Joe Alioto.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

The President resumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Medina requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Regional Transportation Plan]

Resolution supporting the Bay Area Transportation and Land use Coalition's recommendations for the 1998 update of the Regional Transportation Plan and urging the Chair and Executive Director of the Metropolitan Transportation Commission (MTC) to include the coalition's recommendations in the plan update. (Supervisors Medina, Teng, Katz)

File 98-0147, Resolution No.

(January 26, 1998 - Introduced in Board for consideration on February 2, 1998.)

Supervisor Medina, seconded by Supervisor Bierman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

In connection with the above item, Supervisors Teng, Katz, requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yee requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee as Amended

[Stop Sign, Chestnut Street at Broderick]
((Resolution urging the Department of Parking and Traffic to erect Stop signs on Chestnut Street at Broderick Street.)) (Supervisors Yee, Newsom)

Resolution establishing all-way Stop signs on Chestnut Street at Broderick Street.

File 98-0149, Resolution No.

(January 26, 1998 - Introduced in Board for consideration on February 2, 1998.)

Supervisor Yee, seconded by Supervisor Newsom, moved an amendment of the whole entitled, "Resolution establishing all-way Stop signs on Chestnut Street at Broderick Street."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

At the request of Supervisor Yee, referred to Housing and Neighborhood Services Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Espanola Jackson]
Resolution recognizing the community activism and dedication of Espanola Jackson. (Supervisors Katz, Brown, Kaufman, Yaki, Bierman, Teng)

File 98-0145, Resolution No. 70-98

(January 26, 1998 - Introduced in Board for consideration on February 2, 1998.)

Adopted.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Proclaim National Day of Remembrance]
Resolution declaring February 19, 1998 a National Day of Remembrance in San Francisco in honor of the 56th Anniversary of Executive Order 9066. (Supervisors Yaki, Teng, Yee, Bierman, Kaufman, Katz)

File 98-0146, Resolution No. 71-98

(January 26, 1998 - Introduced in Board for consideration on February 2, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[State Legislation, AB 1437, Smog Check II]
Resolution opposing the passage of AB 1437 (Cardoza) or any other legislation that imposes Smog Check II on the Bay Area. (Supervisors Teng, Katz)

File 98-0148, Resolution No. 72-98

(January 26, 1998 - Introduced in Board for consideration on February 2, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 98-0152, Motion No. M98-16

(January 26, 1998 - Introduced in Board for consideration on February 2, 1998.)

Adopted.

[Final Map]

Motion approving final map of 570 Page Street, a Residential Condominium Project, being a subdivision of Lot 14 in Assessor's Block No. 842 and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0135, Motion No. M98-14

(January 22, 1998 - Referred to Board for consideration on February 2, 1998.)

Adopted.

[Final Map]

Motion approving final map of 1281 Vallejo Street, a Residential Condominium Project, being a subdivision of Lot 28 in Assessor's Block No. 152, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0136, Motion No. M98-15

(January 22, 1998 - Referred to Board for consideration on February 2, 1998.)

Adopted.

[Ruth Brinker Commemorative Plaque]

Resolution urging that the City and County honor Project Open Hand founder Ruth Brinker with commemorative street plaque on Willow Alley. (Supervisors Katz, Kaufman)

File 98-0167, Resolution No. 73-98

(January 28, 1998 - Referred to Board for consideration on February 2, 1998.)

Adopted.

In connection with the above item, Supervisor Kaufman requested to be added as co-sponsor.

[National Freedom to Marry Day]

Resolution commending Lambda Legal Defense and Education Fund and the Freedom to Marry Coalition for their work in procuring marital rights for Lesbian and Gay families and urging that the State of California recognize the right of same-gender couples to marry. (Supervisor Katz)

File 98-0168, Resolution No. 74-98

(January 28, 1998 - Referred to Board for consideration on February 2, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Monday, February 2, 1998

Referred to Committee

[Central Permit Bureau, Fees and Procedures]

Ordinance repealing Public Works Code Section 1 and amending Building Code by adding Chapter 1, Sections 106.1.2 through 106.1.3 to correct jurisdiction concerning the Central Permit Bureau operations from Department of Public Works to Department of Building Inspection. Supervisor Kaufman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0091.

[Annual Appropriation Ordinance Amendment]

Ordinance amending Ordinance 345-97 (Annual Appropriation Ordinance) to add Section 12.4 relating to additional services by the Health Department. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-0175.

Referred to Board

[Commend Matt Onek]

Resolution commending Matt Onek, departing Director of the San Francisco Youth Commission. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar February 9, 1998.

File 98-0176.

[Commend Child Passenger Safety Awareness Week]

Resolution commemorating February 8-12 as Child Passenger Safety Awareness Week and urging City Departments to participate in supporting this week through education, enforcement and awareness efforts. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar February 9, 1998.

File 98-0177.

[Commend Chinese Performing Artists of America]

Resolution commending the Chinese Performing Artists of America for its outstanding artistic achievements and declaring February 21, 1998 as "Chinese Performing Artists of America and Chinese Performing Arts Festival Day" in San Francisco. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar February 9, 1998.

File 98-0178.

[Commend Center for Young Women's Development]

Resolution commending the Center for Young Women's Development for their success in San Francisco and acknowledging the recipients of the 1998 Youth and Social Justice Awards. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar February 9, 1998.

File 98-0179.

[Commend Resolve To Stop The Violence Project]

Resolution commending the San Francisco Sheriff's Department's Resolve To Stop The Violence Project (R.S.V.P.) for the innovative approach to healing the harm caused by violence through restorative justice. Supervisors Katz, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar February 9, 1998.

File 98-0180.

[Local Business Enterprise Program, Airport]

Resolution supporting the Airport Commission's policy adoption to have San Francisco based businesses represented in the retail, food and beverage and service operations in the terminal complex. Whenever appropriate, concession opportunities should be 'set aside' for such firms and staff is directed to use its best efforts to encourage participation of small businesses in the bidding process. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 9, 1998.

File 98-0181.

Referred to Committee

[UCSF Land Donation, CEQA Findings]

Resolution adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act and State guidelines in connection with certain documents relating to the conveyance of land to the Regents of the University of California to be developed for university purposes; companion to Files 98-0183 and 98-0184. Supervisor Yaki presented. Referred to Finance Committee.

File 98-0182.

[UCSF Property Donation Conveyance]

Resolution approving and authorizing the conveyance, for no consideration, to the Regents of the University of California, of approximately 1.34 acres of present and former street areas at 16th and Sixth Streets to be developed for university purposes; adopting findings that the conveyance is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion to Files 98-0182 and 98-0184. Supervisor Yaki presented. Referred to Finance Committee.

File 98-0183.

[UCSF Donation, Public Trust Agreement]

Resolution finding and determining that the conveyance to the Regents of the University of California of certain real property located near Sixth and 16th Streets is authorized by and consistent with the provisions of Chapter 1143 of the Statutes of 1991, as amended; approving an agreement; and ratifying past acts; companion to Files 98-0182 and 98-0183. Supervisor Yaki presented. Referred to Finance Committee.

File 98-0184.

[Chinatown Better Parks and Recreation]

Resolution amending Resolution Nos. 667-90 and 955-93 to add the Chinatown Better Parks and Recreation as an organization qualified to submit nominations for appointment to the Park and Open Space Advisory Committee pursuant to Charter Section 16.107(G). Supervisor Yaki presented. Referred to Housing and Neighborhood Services Committee.

File 98-0185.

[Lease, Treasure Island]

Resolution approving and authorizing an amendment by and between the City and County and Universal Studios for the sublease of Buildings 3 and 180 on naval station Treasure Island. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee

File 98-0186.

Requests for Hearings:

[Substance Abuse Treatment Programs]

Hearing to consider the substance abuse treatment programs within our jails. Supervisor Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 98-0187.

[Parcels 202 and 203]

Hearing to consider the open space status and future plans for Assessor Parcels 202 and 203 (Embarcadero). Supervisor Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 98-0188.

[State of the School District]

Hearing to consider the state of the school district (school bus seat belts, lunches/food, bathrooms and health issues). Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 98-0189.

[Casey Martin vs. PGA Verdict]

Hearing to consider implications of the Casey Martin vs. PGA verdict and its impact on PGA sanctioned events in San Francisco. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 98-0190.

[Power Plants]

Hearing to consider the ramifications of a change in ownership of the Hunters Point and Potrero power plants. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0191.

[Hazardous Materials Reduction Plan]

Hearing to consider implementing a hazardous materials reduction plan. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 98-0192.

[Violence on Municipal Railway System]

Hearing to consider security and safety concerns on Municipal Railway. Supervisor Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0193.

[Bayview Recreational Facilities]

Hearing to consider funding for the Bayview olympic-sized pool and the status of parks in the Bayview Hunters Point area. Supervisor Brown presented. Referred to Housing and Neighborhood Services Committee.

File 98-0194.

[PGA Tour Championship]

Hearing to consider how to bring the PGA Tour Championship to Harding Golf course and to create a home for First Tee at such course. Supervisor Brown presented. Referred to Housing and Neighborhood Services Committee.

File 98-0195.

[Esprit Park]

Hearing to consider the purchase of Esprit Park. Supervisor Brown presented. Referred to Housing and Neighborhood Services Committee.

File 98-0196.

Motions:

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.7 and amending Rule 5.5 in order to create a new standing committee, the Parks and Recreation Committee. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-0197.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0138. [Weight Restriction, Kensington Way] Ordinance adding Section 28.1.98 to the San Francisco Traffic Code to establish a weight restriction on Kensington Way. (DPT Order No. 1438). (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-0164. [Hazel Louise Ellis v. CCSF et al.] Ordinance authorizing settlement of litigation of Hazel Louise Ellis against the City and County of San Francisco by payment of \$185,000. (Superior Court No. 976-607). (City Attorney) Referred to Rules Committee.

File 98-0165. [Tamilia Gorman/Alexander Rabey v. CCSF et al.] Ordinance authorizing settlement of litigation of Tamilia Gorman and Alexander Rabey against the City and County of San Francisco by payment of \$27,000.00. (Superior Court No. 961-655). (City Attorney) Referred to Rules Committee.

File 98-0166. [Carol McGee v. CCSF et al.] Ordinance authorizing settlement of litigation of Carol McGee against the City and County of San Francisco by payment of \$70,000. (Superior Court No. 980-710). (City Attorney) Referred to Rules Committee.

Resolutions Referred to Committee

File 98-0137. [Gift Acceptance] Resolution authorizing the San Francisco Police Department to accept the gift of a Live Scan Fingerprint machine and printer valued at \$43,000. (Police Commission) Referred to Housing and Neighborhood Svcs Committee.

File 98-0155. [John Muir Drive Emergency Authorization] Resolution concurring with and supporting the Director of the Department of Public Works finding and declaration of a public emergency; urging said Director to take necessary measures in the most expeditious manner to protect the public safety, health, welfare, and property of the citizens of San Francisco with regard to the dangerous condition created by the unstable conditions on John Muir Drive; and to authorize the Director of the Department of Public Works to enter into agreements of indemnity based on this emergency at John Muir Drive. (Department of Public Works) Referred to Finance Committee.

File 98-0157. [Encroachment Permit, 3rd/King Streets] Resolution granting revocable permission to Huber, Hunt & Nichols, Inc. Construction Company to temporarily close and occupy the east sidewalk and a portion of the street area on 3rd Street between King and Berry Streets and south sidewalk and a portion of the street area on King Street between 2nd and 3rd Streets to conduct construction operations at the Pacific Bell Park (Block 3794, Lot 28). (DPW Order No. 170,747). (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 98-0158. [CA Integrated Waste Management Board Receipt] Resolution authorizing the City Administrator of the City and County of San Francisco to accept and expend \$25,000 from the California Integrated Waste Management Board. (City Administrator) Referred to Health, Family and Environment Committee.

File 98-0159. [Environmental Protection Agency Receipt] Resolution authorizing the City Administrator of the City and County of San Francisco to accept and expend \$5,000 from the Environmental Protection Agency (EPA). (City Administrator) Referred to Health, Family and Environment Committee.

File 98-0160. [State Child Care Contract] Resolution authorizing the execution of a contract between the City and County of San Francisco and the State of California Department of Education in the amount of \$606,060 for participation by the City and County in the State's Child Care and Development Program for fiscal year 1997-1998. (Department of Human Services) Referred to Health, Family and Environment Committee.

File 98-0161. [Gift Acceptance] Resolution authorizing the Director of Public Works to accept and expend a gift of up to \$500,000 from the San Francisco Foundation Community Initiative Funds and the Friends of Recreation and Park, to construct the improvements of Pioneer Park at Coit Tower. (Department of Public Works) Referred to Housing and Neighborhood Svcs Committee.

File 98-0162. [Gift Acceptance] Resolution accepting gifts valued at a total of \$57,100.00 from various donors for use by the Recreation and Park Department. (Recreation and Park Commission) Referred to Housing and Neighborhood Svcs Committee.

File 98-0163. [Gift Acceptance] Resolution accepting gifts valued at a total of \$135,055.00 from various donors for use by the Recreation and Park Department. (Recreation and Park Commission) Referred to Housing and Neighborhood Svcs Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Newsom, that letter of inquiry be sent to Superintendent, San Francisco Unified School District, to determine what substance abuse treatment, diversion, education and prevention programs currently exist.

By Supervisor Newsom, that letter of inquiry be sent to Superintendent, San Francisco Unified School District, concerning the women's bathroom stall doors at George Washington High School to ascertain whether the doors could be replaced with longer ones and not covered with graffiti.

By Supervisor Ammiano, that letter be sent to his Honor, Mayor Willie L. Brown, Jr. to inquire whether or not City departments are limiting or suppressing the right to speak by City employees thereby violating First Amendment rights to speak out.

By Supervisor Ammiano, that letter be sent to Director of Public Health concerning the proposed sale of the Hunters Point and Potrero power plants by Pacific Gas and Electric Company to request the following information be provided within thirty days: If the new owner has a financial incentive to operate the power plants at their total gross capacity; what are the likely impacts of the increased point source air pollution on area residents, including children, individuals with compromised respiratory systems and the elderly; what are the projected public health costs associated with air pollution in the southeast quadrant of the City. File 98-0191.

By Supervisor Ammiano, that letter be sent to Director, Public Utilities Commission, regarding the proposed sale of the Hunters Point and Potrero power plants by Pacific Gas and Electric Company to request the following information be provided within thirty days: In recent power plant sales in the

Monday, February 2, 1998

State of California, how much have power plants sold for in relation to their book value; According to California Public Utilities Commission Staff, will the sale of the Hunters Point and Potrero power plants result in increased operation of these plants; how much increased air pollution could be expected as a result of increased operation of the power plants; could the City and County participate in the auction of these plants, if order to ensure their safe operation and the eventual phase out of their use; if not, what steps could the City take to discourage the sale of these facilities. File 98-0191.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Joseph Alioto (By the entire Board)
Lionel Wilson (By the entire Board)
Richard Shine Dinner (Supervisors Kaufman, Katz)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:53 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 16, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, February 9, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 9, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Yaki, Yee - 7.

Noted absent at first roll call:

Supervisors Katz, Newsom, Teng - 3.

Quorum present.

Supervisor Katz was noted present at 2:04 p.m.

Supervisor Newsom excused. See infra.

Supervisor Teng excused. See infra.

Supervisors Newsom, Teng Excused

The Clerk stated Supervisors Newsom and Teng requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Katz, moved to excuse Supervisors Newsom and Teng from attendance.

Motion adopted by the following vote:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Brown, moved that the Journal of Proceedings for Monday, December 8, 1997, be approved.

Motion carried by the following vote:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Surplus Goods Donation]
Ordinance amending Administrative Code, to authorize the Director of Purchasing to dispose of surplus goods by donation for reuse or recycling. (Supervisors Brown, Bierman, Teng, Katz)

File 97-97-52, Ordinance No. 54-98

(Amends Section 6.01.)

Finally passed.

[Appropriation, PUC-Clean Water]

Ordinance appropriating \$3,468,646, Department of Public Utilities-Clean Water, Clean Water Program fund balance for the construction of new Southeast Plant Aeration Basins Influent Channel and design of a Booster Pump Station upgrade for fiscal year 1997-98. (Controller)

File 98-0051, Ordinance No. 59-98

Finally passed.

[Appropriation, Port Commission]

Ordinance appropriating \$2,000,000, Port Commission, of San Francisco Harbor Operating Fund balance to fund the costs of repair to the marginal wharves from Pier 1-1/2 to Pier 5 to accommodate the new promenade for the Mid Embarcadero Roadway Project, for fiscal year 1997-98. (Controller)

File 98-0052, Ordinance No. 60-98

Finally passed.

Recommendations of Rules Committee

Finally Passed

[M.L.D.K., Inc. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of M.L.D.K., Inc., against the City and County by recognizing a reduction of business taxes due by \$127,770.22. (City Attorney)

File 98-0017, Ordinance No. 58-98

(Superior Court No. 984697.)

Finally passed.

[United States, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of United States, et al., against the City and County by payment of \$141,886.00. (City Attorney)

File 98-0053, Ordinance No. 61-98

(Federal District Court, No. C-84-7089 MHP.)

Finally passed.

[Leroy and Katherine Looper v. CCSF]

Ordinance authorizing settlement of litigation of Leroy and Katherine Looper against the City and County by payment of \$150,000.00. (City Attorney)

File 98-0054, Ordinance No. 62-98

(Superior Court No. 975-683.)

Finally passed.

[Clifford Washington, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Clifford Washington, et al., against the City and County by payment of \$320,000. (City Attorney)

File 98-0082, Ordinance No. 63-98

(Superior Court No. 969-668.)

Finally passed.

Recommendations of

Economic Development, Transportation and Technology Committee

Passed on First Reading

[Underground District No. 334]

Ordinance creating Underground District No. 334 in the Broad Street/Randolph Street/19th Avenue area. (Supervisors Medina, Bierman)

File 98-0111, Ordinance No.

Passed on first reading.

[Underground District No. 335]

Ordinance creating Underground District No. 335 in the Upper Folsom area. (Supervisors Medina, Bierman)

File 98-0112, Ordinance No.

Passed on first reading.

Adopted

[Grant, Minority Business Opportunity Committee]

Resolution authorizing the Mayor, retroactively, to apply for, accept and expend the Minority Business Development grant for a total amount not to exceed \$450,000. (Mayor Willie L. Brown, Jr.)

File 68-97-8, Resolution No. 75-98

Adopted.

[Revocable Permit - 590 Van Ness Avenue]

Resolution granting revocable permission to Ryan Construction Company to temporarily close and occupy the north sidewalk on Redwood Alley between Polk Street and Van Ness Avenue and to conduct construction operations at 590 Van Ness Avenue (Block 766, Lot 13). (Department of Public Works)

File 98-0100, Resolution No. 81-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Findings]

Motion adopting findings related to the appeal of the Planning Commission's denial of Conditional Use Application No. 97.588C, for the conversion of a two-family dwelling to a Bed and Breakfast Inn containing five guest rooms in an RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District on property located at 377-79 Collingwood Street (aka The Villa); Lot 33, in Assessor's Block 2752.

File 98-0201, Motion No. M98-20

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

Recommendations of Finance Committee

Finally Passed

(Supervisor Kaufman dissenting in Committee.)

[Appropriation, Department of Public Health]

Ordinance appropriating \$1,033,415, including an additional \$262,415, Department of Public Health-Community Health Service, from Medi-Cal and Medicare Revenues and transferring \$771,000 of visiting nurse hospice group contracts to fund the newly created Community Health Network Home Health Agency and for the creation of 28.2 new positions; providing for ratification of action previously taken; companion measure to File 102-97-16. (Controller)

File 101-97-45, Ordinance No. 56-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Yaki, Yee - 7.

Noes: Supervisor Kaufman - 1.

Absent: Supervisors Newsom, Teng - 2.

(Supervisor Kaufman dissenting in Committee.)

[Salary Ordinance Amendment, Department of Public Health]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Service, reflecting the creation of 28.2 new positions; companion measure to File 101-97-45. (Department of Human Services)

File 102-97-16, Ordinance No. 57-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Yaki, Yee - 7.

Noes: Supervisor Kaufman - 1.

Absent: Supervisors Newsom, Teng - 2.

[Capital Improvement Advisory Committee]
Ordinance amending Administrative Code, to add the City Administrator as a member of the Capital Improvement Advisory Committee and to provide that the chair of the Capital Improvement Advisory Committee appoint 2 individuals as members (instead of Department heads). (Mayor)

File 97-97-67, Ordinance No. 55-98

(Amends Section 3.20.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

From Rules Committee with Recommendation "Do Submit"

Ordered Submitted

[Charter Amendment-Board Members Salary]
Charter Amendment (Second Draft) amending Charter Section 2.100 to increase the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585. (Supervisor Ammiano)

File 285-97-1

(February 2, 1998 - Consideration continued to February 9, 1998.)

Second draft ordered submitted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

[Charter Amendment-Loans From State/Federal Govt.]
Charter Amendment (Second Draft) amending Charter Section 9.111 and adding Section 9.111-1 to authorize the City and County and its commissions to clarify the general authority of the City and County and its commissions to incur and refund any indebtedness and to authorize the City and County and its commissions to enter into cost effective loans or other indebtedness with the State of California or the federal government under certain circumstances. (Supervisor Kaufman)

File 286-97-1

(February 2, 1998 - Consideration continued to February 9, 1998.)

Second draft ordered submitted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

[Charter Amendment-Water Department Revenue Fund]
Charter Amendment (Second Draft) amending Charter Section 16.103 thereof and adding Section 16.103-1 thereto, to (1) establish a separate revenue fund for the deposit of revenues generated from the Water Department, and (2) provide a priority schedule for expenditures paid from this fund. (Supervisor Kaufman)

File 287-97-1

(February 2, 1998 - Consideration continued to February 9, 1998.)

Second draft ordered submitted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

The President resumed the Chair.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

(Supervisor Brown dissenting in Committee.)

[Amendment, Advertising Shelter Agreement]
Ordinance approving Third Amendment to Advertising Transit Shelter Agreement between City and County and Outdoor Systems, Inc. to maintain MUNI Metro Extension and F-Line boarding platforms in exchange for advertising on platforms and to expand transit shelter program. (Public Transportation Commission)

File 172-97-19, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Katz, Kaufman, Medina, Yaki, Yee - 7.

Noes: Supervisor Brown - 1.

Absent: Supervisors Newsom, Teng - 2.

[Appropriation, Ethics Commission]
Ordinance appropriating \$73,306, Ethics Commission, from the General Fund Reserve-Ethics Commission, for salary, fringe benefits and non-personal services for the creation of 1.41 position for fiscal year 1997-98; providing for ratification of action previously taken; companion measure to File 98-0057. (Controller)

File 98-0050, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

[Salary Ordinance Amendment, Ethics Commission]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Ethics Commission, reflecting the creation of 1.41 new positions; companion measure to File 98-0050. (Department of Human Resources)

File 98-0057, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

[Appropriation, Public Library]

Ordinance appropriating \$1,225,367, Public Library, (\$400,000 from the General Fund Reserve, \$114,367 Budget Incentive Reserve, \$354,000 Fine and Fee Revenues, and \$357,000 Fuhrman Gift Fund and rescinding \$357,000 General Fund Books) to fund salaries, professional services, books and equipment for fiscal year 1997-98. (Controller)

File 98-0092, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

Adopted

[de Young Museum General Obligation Bonds]

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction and/or reconstruction by the City and County of a new museum facility in Golden Gate Park to replace the M. H. de Young Memorial Museum and all other works, property and structures necessary or convenient for the foregoing purposes, including funding for improvements to Golden Gate Park in the areas appurtenant to, or which provide access to, the de Young Museum, and that the estimated cost of \$89,900,000 for such municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require the incurring of bonded indebtedness. (Supervisors Yaki, Teng, Yee, Katz, Brown, Kaufman, Newsom)

File 98-0109, Resolution No. 82-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

Recommendations of Economic Development, Transportation
and Technology Committee

Passed on First Reading

[Regional Transit Discount ID Card Fee]

Ordinance amending Administrative Code, imposing fees to process applications for new, renewed and lost Regional Transit Discount Identification Cards; companion measure to File 172-97-83. (Public Transportation Commission)

File 97-97-75, Ordinance No.

(Adds Section 8.30.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

Adopted

[Regional Transit Discount Card Program]

Resolution authorizing an indemnity provision in agreement regarding implementation of the Regional Transit Discount Program, among the City and County, the Metropolitan Transportation Commission, and the Bay Area Rapid Transit District; companion measure to File 97-97-75. (Public Transportation Commission)

File 172-97-83, Resolution No. 76-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

Passed on First Reading

[Proof of Payment, Passenger Conduct Violations]

Ordinance amending Traffic Code, to redefine "Streetcar"; by repealing Section 126 regarding boarding and alighting streetcars or vehicles and reenacting that provision in Section 128; to allow boarding of public transit vehicles through rear doors under some circumstances and to require transit passengers to display proof of payment of fares; by repealing and reenacting Section 128 to institute other passenger conduct violations; to impose penalties for violation of Sections 127 and 128; to authorize fare inspectors; by repealing Section 129 regarding expectorating in transit vehicles and reenacting that provision in Section 128; and stating the intent of the Board that funds from enforcement of Sections 127, 128 and Penal Code Section 640 be used to defray costs of the proof of payment program and that an audit be performed every three years. (Public Transportation Department)

File 124-97-6, Ordinance No.

(Amends Sections 3.2, 127, 128.1;

Repeals Sections 126, 129; Repeals and reenacts Section 128; Adds Section 128-A.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

[General Plan Referral Procedures]

Ordinance amending Administrative Code, requiring General Plan Referral Reports on the consistency with the City's General Plan of certain actions taken by the Board of Supervisors. (Planning Department)

File 98-0014, Ordinance No.

(Adds Sections 2A.52 and 2A.53.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

[Parking and Traffic, Taxicabs]

Ordinance amending Traffic Code, regarding the exemption of taxicabs from turn prohibitions. (Supervisor Newsom)

File 98-0016, Ordinance No.

(Amends Section 34.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

Adopted

[Made in San Francisco Label]

Resolution establishing a "Proudly Made in San Francisco" label to be placed on items manufactured in San Francisco and urging the Art Commission to sponsor a contest for the creation of a "Made in San Francisco" label. (Supervisor Teng)

File 261-97-1, Resolution No. 77-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

[San Francisco First Policy, Airport]

Resolution urging the Airport Commission to consider the adoption of a policy to require, where appropriate, the sale of items manufactured in San Francisco, in Airport renewal concession contracts and future Airport concession contracts, and directing the Clerk of the Board to transmit a copy of this resolution to the Airport Commission for its consideration. (Supervisor Teng)

File 261-97-2, Resolution No. 78-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

[San Francisco First Policy, Port]

Resolution urging the Port Commission to consider the adoption of a policy to require, where appropriate, the sale of items manufactured in San Francisco, in Port renewal concession contracts and future Port concession contracts, and directing the Clerk of the Board to transmit a copy of this resolution to the Port Commission for its consideration. (Supervisor Teng)

File 261-97-3, Resolution No. 79-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

[Intent to Vacate/Sell - Portion of Wawona Street]

Resolution declaring intention of the Board of Supervisors to vacate and sell a portion of Wawona Street between 18th and 19th Avenues (Block 2478, Lot 13J), setting the hearing date for March 9, 1998 at 3:00 p.m., for all persons interested in the proposed vacation and sale, making findings of General Plan conformance and consistency with Planning Code Section 101.1, and authorizing other official actions in connection therewith. (Real Estate Department)

File 98-0089, Resolution No. 80-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

COMMITTEE REPORTS

Recommendations of Rules Committee

Adopted

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 5.7 and amending Rule 5.5 in order to create a new standing committee, the Parks and Recreation Committee. (Supervisor Kaufman)

File 98-0197, Motion No. M98-19

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, oppose apartment unit conversion proposed amendment;
Ernestine Weiss, oppose apartment unit conversion;
Michael Sherlock, trees;
Rachel Mandel, homeless shelter and bed;
Henry Holmes, Multilateral Agreement on Investment;
Victor Mernotti, Multilateral Agreement on Investment.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of resolution today. Any Supervisor may require any resolution to go to committee.

Adopted

[Commend Matt Onek]

Resolution commending Matt Onek, departing Director of the San Francisco Youth Commission. (Supervisors Newsom, Katz, Medina, Bierman, Brown)

File 98-0176, Resolution No. 88-98

(February 2, 1998 - Introduced in Board for consideration on February 9, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Bierman, Brown requested to be added as co-sponsors.

[Commend Child Passenger Safety Awareness Week]

Resolution commemorating February 8-12 as Child Passenger Safety Awareness Week and urging City departments to participate in supporting this week through education, enforcement and awareness efforts. (Supervisors Newsom, Katz, Medina, Bierman, Brown)

File 98-0177, Resolution No. 83-98

(February 2, 1998 - Introduced in Board for consideration on February 9, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Bierman, Brown requested to be added as co-sponsors.

[Commend Chinese Performing Artists of America]

Resolution commending the Chinese Performing Artists of America for its outstanding artistic achievements and declaring February 21, 1998 as "Chinese Performing Artists of America and Chinese Performing Arts Festival Day" in San Francisco. (Supervisors Teng, Kaufman, Katz, Medina, Bierman, Brown)

File 98-0178, Resolution No. 84-98

(February 2, 1998 - Introduced in Board for consideration on February 9, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Bierman, Brown requested to be added as co-sponsors.

[Commend Center for Young Women's Development]

Resolution commending the Center for Young Women's Development for their success in San Francisco and acknowledging the recipients of the 1998 Youth and Social Justice Awards. (Supervisors Ammiano, Katz, Medina, Bierman, Brown)

File 98-0179, Resolution No. 85-98

(February 2, 1998 - Introduced in Board for consideration on February 9, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Bierman, Brown requested to be added as co-sponsors.

[Commend Resolve To Stop The Violence Project]

Resolution commending the San Francisco Sheriff's Department's Resolve To Stop The Violence Project (R.S.V.P.) for the innovative approach to healing the harm caused by violence through restorative justice. (Supervisors Katz, Kaufman, Medina, Bierman, Brown)

File 98-0180, Resolution No. 86-98

(February 2, 1998 - Introduced in Board for consideration on February 9, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Bierman, Brown requested to be added as co-sponsors.

[Local Business Enterprise Program, Airport]

Resolution supporting the Airport Commission's policy adoption to have San Francisco based businesses represented in the retail, food and beverage and service operations in the terminal complex. Whenever appropriate, concession opportunities should be 'set aside' for such firms and staff is directed to use its best efforts to encourage participation of small businesses in the bidding process. (Supervisor Teng, Katz, Medina, Bierman, Brown)

File 98-0181, Resolution No. 87-98

(February 2, 1998 - Introduced in Board for consideration on February 9, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Bierman, Brown requested to be added as co-sponsors.

[Final Map]

Motion approving final map of 3600 Fillmore Street, a Residential Condominium Project, being a subdivision of Lot 20 in Assessor's Block No. 436F, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0173, Motion No. M98-17

(February 2, 1998 - Referred to Board for consideration on February 9, 1998.)

Adopted.

[Final Map]

Motion approving final map of 6838 Geary Boulevard, a Residential Condominium Project, being a subdivision of Lot 51 in Assessor's Block No. 1464, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0174, Motion No. M98-18

(February 2, 1998 - Referred to Board for consideration on February 9, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following motions:

Adopted

[Serious Injury Finding]

Motion that the Board finds by roll call vote that for the legislation(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Bierman, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the legislation being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Bierman, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

[Imperative Motion]

Adopted

[Winter Storms 1998 Emergency Declaration]

Motion concurring in the Mayor's declaration of a local emergency due to heavy winter storms and in actions already taken to meet the emergency and authorizing further action to respond to the emergency.

File 98-0240, Motion No. M98-21

Supervisor Kaufman presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Yaki, Yee - 8.

Absent: Supervisors Newsom, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[MBE/WBE/LBE Ordinance - III Extension]

Ordinance amending Administrative Code by adding Section 12D.2-4 and amending Sections 12D.9(A), 12D.10(A), 12D.11(A) - (1) and 12D.15(G) to set forth findings supporting a three month extension of the MBE/WBE/LBE Ordinance - III and providing for the three month extension (from April 1, 1998 to July 1, 1998). Supervisor Katz presented. Referred to Health, Family and Environment Committee with request it be considered at the February 12, 1998 meeting.

File 98-0205.

[Soil Testing for Hazardous Waste]

Ordinance repealing Public Works Code Article 20 and amending Building Code by adding all sections of Article 20, except Section 1010, as Chapter 37 (Sections 37.1 through 37.13) relating to analyzing the soil for hazardous waste. Supervisor Kaufman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0224.

[Task Force]

Ordinance amending Administrative Code by adding Sections 30.01 - 30.03, to establish and delegate to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force the ability to investigate City departments' implementation of the 1996 San Francisco Human Rights Commission's recommendations regarding the needs of lesbian, gay, bisexual, transgender, queer and questioning youth, and to provide that the task force shall cease to exist on June 30, 1999. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 98-0225.

Referred to Board

[Commend Amelia Ashley-Ward]

Resolution commending Amelia Ashley-Ward for her excellent leadership and outstanding commitment to civil rights. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar February 17, 1998.

File 98-0226.

[Commend Lulann McGriff]

Resolution commending Lulann McGriff for her honorable commitment to civil rights and her invaluable role as an educator, social worker and counselor. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar February 17, 1998.

File 98-0227.

[Proclaim YMCA Youth and Government Day]

Resolution declaring February 12, 1998 as YMCA Youth and Government Day. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar February 17, 1998.

File 98-0228.

[Proclaim Wildlife Conservation Day]

Resolution supporting efforts for the tiger conservation and declaring February 6, 1998 to be "Wildlife Conservation Day," so that every year the people of San Francisco will continue to participate in the activities and events of wildlife conservation. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 17, 1998.

File 98-0229.

[Retirement Board Divest Holdings]

Resolution urging the San Francisco Retirement Board to honor the intent of the 1996 Board of Supervisors' resolution urging the Retirement Board divest holdings in securities of publicly traded companies that derive revenue from the sale of tobacco products. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar February 17, 1998.

File 98-0230.

[Human Rights Sanction Regulations]

Resolution expressing San Francisco's position on its ability to impose sanctions on organizations and entities that do not comply with San Francisco's human rights requirements (oppose Multilateral Agreement on Investment). Supervisors Amiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 17, 1998.

File 98-0231.

[Refugee Funds for Elderly]

Resolution authorizing the President of the Private Industry Council to accept and expend \$550,000 of refugee funds for elderly refugees as described in the Revised Refugee County Plan. Supervisor Teng presented. Referred to Health, Family and Environment Committee.

File 98-0232.

Referred to Committee

[Children's Services Plan, 1998-1999]

Resolution approving the Children's Services Plan for the San Francisco Children's Fund in accordance with Charter Section 16.108. Mayor Willie L. Brown, Jr. presented. Referred to Health, Family and Environment Committee with request it be considered at the February 26, 1998 meeting.

File 98-0233.

[Lease of Real Property, 3119 Mission Street]

Resolution authorizing a lease of real property at 3119 Mission Street, for the Department of Human Services. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee with request it be considered at the February 18, 1998 meeting.

File 98-0234.

[Lease of Real Property, 1428 Bush Street]

Resolution authorizing lease of real property at 1428 Bush Street, for the Department of Human Services. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee with request it be considered at the February 18, 1998 meeting.

File 98-0235.

[Bond Sale, Series 1998C, Educational Facilities]

Resolution authorizing and directing the sale of not to exceed \$47,000,000 City and County general obligation bonds (Educational Facilities Bonds, 1997 San Francisco Unified School District), Series 1998C; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of official notice of sale and notice of intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds; companion measure to File 170-97-9. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee with request it be considered at the February 18, 1998 meeting.

File 98-0236.

Requests for Hearings:

[Zoo Admission for San Francisco Residents]

Hearing to consider whether residents of San Francisco should be entitled to free or discounted admission to the San Francisco Zoo. Supervisor Ammiano presented. Referred to Parks and Recreation Committee.

File 98-0237.

[Sharon Arts Studios]

Hearing to consider the plans for Sharon Arts Studios. Supervisor Ammiano presented. Referred to Parks and Recreation Committee.

File 98-0238.

[Foster Care System]

Hearing to consider whether San Francisco's foster care system is achieving its objectives in protecting dependent children. Referred to Health, Family and Environment Committee. Supervisor Ammiano presented.

File 98-0239.

Motion
Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar February 17, 1998.

File 98-0241.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0203. [MOU, Teamsters Local 350] Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Teamsters, Local 350 and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution status effective June 30, 1998 following approval of this ordinance by the Mayor. (Department of Human Resources) Referred to Finance Committee.

File 98-0206. [Albertina Curiel v. CCSF, et. al.] Ordinance authorizing settlement of litigation of Albertina Curiel against the City and County of San Francisco by payment of \$55,000. (Superior Court No. 980-526). (City Attorney) Referred to Rules Committee.

File 98-0207. [William Glass v. Gregory Kazarian, CCSF, et al.] Ordinance authorizing settlement of litigation of William Glass against Gregory Kazarian and the City and County of San Francisco by payment of 69,000. (Superior Court No. 972-719). (City Attorney) Referred to Rules Committee.

File 98-0208. [Appropriation, Department of Public Works] Ordinance appropriating \$200,000, Department of Public Works, of Broadway Parking Lot Revenues to fund the local share of the cost to do County-wide Transportation Plan for fiscal year 1997-98. RO #97197. (Controller) Referred to Finance Committee.

File 98-0209. [Landmark Designation, 1701 Nineteenth Avenue] Ordinance designating 1701 Nineteenth Avenue, the former Shriners Hospital, as Landmark No. 221 pursuant to Article 10 of the Planning Code. (Planning Department) (Planning Commission Resolution No. 14523 adopted January 8, 1998, approving the landmark designation; Landmarks Preservation Advisory Board Resolution No. 499 adopted October 1, 1997, initiating the landmark designation.) Referred to Housing and Neighborhood Services Committee.

File 98-0210. [Landmark Designation, 1088 Green Street] Ordinance designating 1088 Green Street, former Engine House No. 31, as Landmark No. 220 pursuant to Article 10 of the Planning Code. (Planning Department) (Planning Commission Resolution No. 14552 adopted January 8, 1998, approving the landmark designation; Landmarks Preservation Advisory Board Resolution No. 498 adopted September 17, 1997, initiating the landmark designation.) Referred to Housing and Neighborhood Services Committee.

Resolutions Referred to Committee

File 98-0200. [Emergency Repair, 23rd Avenue Sewer Replacement] Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on 23rd Avenue from Lincoln Way to Irving Street - \$221,938. (Public Utilities Commission) Referred to Finance Committee.

File 98-0204. [Acquisition of Property, Bayview District] Resolution authorizing acquisition of real property located in the Bayview District identified as Assessor's Block No. 5328, Lot Nos. 5 thru 9 and 17 thru 23 for \$234,375 from the Sharnan Living Trust for open space purposes and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department) Referred to Finance Committee.

File 98-0211. [Emergency Repair, Ocean Beach Slope Erosion] Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the safety and property of the citizens of San Francisco by performing the necessary work to prevent ocean beach slope erosion threatening roadway loss along the Great Highway between the two national park service parking lots. (Department of Public Works) Referred to Finance Committee.

File 98-0212. [General Obligation Bonds, Series 1998A] Motion awarding bonds and fixing definitive interest rates for \$20,000,000 taxable General Obligation Bonds (Affordable Housing) Series 1998A. (See File 170-97-10.1). (Mayor's Office of Finance and Legislative Affairs) Referred to Finance Committee.

File 98-0213. [Emergency Repair, Clayton Street Retaining Wall] Resolution authorizing the Director of Public Works to take necessary measures to protect the safety and property of the Citizens of San Francisco by performing the necessary work to remediate damage from the collapse of the Clayton Street retaining wall. (Department of Public Works) Referred to Finance Committee.

File 98-0217. [Federal Funding - Community Development] Resolution approving the 1998 Community Development Program, authorizing the Mayor, on behalf of the City and County of San Francisco, to accept and expend the City's 1998 Community Development Block Grant (CDBG) Entitlement from the U.S. Department of Housing and Urban Development, and program income generated by the San Francisco Redevelopment Agency up to \$38,046,000 which include indirect costs of \$120,000; approving expenditure schedules for recipient departments and agencies and for indirect costs, and, determining no environmental evaluation is required, authorizing the receipt and deposit in contingencies of 1998 CDBG entitlement funds in excess of \$24,969,000. (Mayor's Office of Community Development) Referred to Finance Committee.

File 98-0218. [Federal Funding - Emergency Shelter Grants Program] Resolution approving the 1998 Emergency Shelter Grants Program and Expenditure Schedule and authorizing the Mayor on behalf of the City and County of San Francisco to apply for, accept and expend \$984,000 entitlement under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development. (Mayor's Office of Community Development) Referred to Finance Committee.

File 98-0219. [Federal Funding - HOME Program] Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept and administer grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed \$6,585,000 for the HOME Program authorized under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program Description as described in the 1998 Action Plan for San Francisco's Consolidated Plan. Indirect costs associated with the acceptance of these grant funds will be paid by Community Development Block Grant Funds. (Mayor's Office of Community Development) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that letter of inquiry be sent to Chief of Police regarding the status of the program to ensure police presence on Municipal Railway vehicles.

By Supervisor Yaki, that letter be sent to General Manager, Recreation and Park Department, requesting review of capital expenditures and improvements planned for the Joseph Lee Recreation Center in Bayview Hunters Point.

By Supervisor Ammiano, that City Attorney prepare appropriate legislation to enact the Health Air and Smog Prevention Act.

By Supervisor Ammiano, that letter of inquiry be sent to General Manager, Recreation and Park Department, to determine the feasibility of providing free or reduced admission fee for San Francisco residents at the San Francisco Zoo. File 98-0237.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Beatrice Young (Supervisor Bierman)
Hugh Walter Riley (Supervisor Brown)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 2.56 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 16, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Tuesday, February 17, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, February 17, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Medina, moved that the Journals of Proceedings for Monday, December 15 and December 22, 1997, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

COMMUNICATION

The Clerk presented communication from the project manager of the City Hall seismic retro fit project concerning the fire at San Francisco City Hall on February 13, 1998.

The San Francisco Fire Department did an excellent job. They acted quickly, efficiently and, given the circumstances, with great respect for the historic fabric of City Hall. After preliminary analysis, the damage is mostly due to the necessary actions of the Fire Department personnel in their efforts to control the spread of the fire. The costs of repair and delay, if necessary, should be borne by the insurers. It is too early to tell what the cost or time implications may be. The general contractor has been instructed to proceed with all necessary repair work.

Suspension of the Rules

Supervisor Bierman, seconded by Supervisor Ammiano, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Presentation of Guests

Supervisor Bierman introduced and welcomed representatives from the American Red Cross, Ms. Jackie Wright and Ms. Teri Hernandez. Ms. Wright and Ms. Hernandez spoke briefly on the purpose of the American Red Cross, its various programs, its collaboration with the City and County in providing shelters for those in need and to thank all the volunteers of the American Red Cross.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Newsom requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendations of
Economic Development, Transportation and Technology Committee

Passed on First Reading as Amended

[Parking and Traffic, Taxicabs]

Ordinance amending Traffic Code, regarding the exemption of taxicabs from turn prohibitions.
(Supervisor Newsom)

File 98-0016, Ordinance No.

(Amends Section 34.)

Supervisor Newsom, seconded by Supervisor Yaki, moved to amend page one, line 19, by inserting "and the Board of Supervisors" before "approves" and delete the "s" from "approves".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Passed on first reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Severed from Consent Calendar

Supervisor Medina requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendations of Housing and Neighborhood Services Committee

Adopted as Amended

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets. (Supervisor Newsom)

File 98-0061, Resolution No. 97-98

(No Left Turns, 4 pm - 7 pm, Monday through Friday - Rescind

No Left Turns, 4 pm - 7 pm, Monday through Friday; No Left Turns, Except Taxis, all other times - Establish

Mason Street, southbound, at Market Street;
Mission Street, eastbound, at 2nd Street;
Mission Street, eastbound, at 3rd Street;
Mission Street, westbound, at 10th Street;
Mission Street, westbound, at 4th Street.

No Left Turns, 7 am - 9 am and 4 pm - 6 pm, Monday through Friday - Rescind

No Left Turns, 7 am - 9 am and 4 pm - 6 pm, Monday through Friday; No Left Turns, Except Taxis, all other times - Establish

4th Street, northbound, at Townsend Street.

Diamond (buses and carpools only) Lane, 4 pm - 6 pm, Monday through Friday - Rescind

Diamond (buses and carpools only) Lane, 4 pm - 7 pm, Monday through Friday - Establish

Sacramento Street, north curb lane (westbound), between Drumm Street and Kearny Avenue (change in effective hours only).

Tow-Away, No Stopping, 3 pm - 6 pm, Monday through Friday - Rescind

Tow-Away, No Stopping, 3 pm - 6 pm, Monday through Friday - Establish

Pine Street, north side, between Jones and Front Streets (change in effective hours only).

Tow-Away, No Stopping, 3 pm - 6 pm, Monday through Friday - Rescind

Pine Street, north side, between Leavenworth and Jones Streets.

Tow-Away, No Stopping, 7 am - 9 am and 4 pm - 7 pm, Monday through Friday - Rescind

King Street, south side, from 4th Street to 660 feet westerly (660-foot zone).

Tow-Away, No Stopping anytime - Rescind

King Street, south side, from 5th Street to 160 feet easterly (160-foot zone).

Tow-Away, No Stopping anytime - Establish

King Street, south side, between 4th and 5th Streets.

Tow-Away, No Stopping, 3 pm - 6 pm, Monday through Friday - Rescind
Tow-Away, No Stopping, 3 pm - 7 pm, Monday through Friday - Establish

Kearny Street, west side, between Market and Sutter Streets (change in effective hours only);

New Montgomery Street, east side, between Market and Howard Streets (change in effective hours only);

New Montgomery Street, west side, between Mission and Howard Streets (change in effective hours only).)

Supervisor Medina, seconded by Supervisor Newsom, moved to amend page one, line 6, after "turns" by inserting "4 pm - 7 pm, Monday through Friday".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Severed from Consent Calendar

Supervisor Teng requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendations of Housing and Neighborhood Services Committee

Referred to Finance Committee

[Library Fiscal Sponsorship Agreement]

Resolution authorizing the Acting City Librarian to enter into an agreement with the Friends of the Public Library ("Friends") for the Friends to provide fiscal sponsorship services for the Library, which agreement requires the City to indemnify the Friends with respect to personnel and activities which receive funding from the Friends under the agreement. (Public Library)

File 172-97-80, Resolution No.

Supervisor Teng, seconded by Supervisor Medina, moved to refer to Finance Committee.

Motion to refer to Committee adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Ethics Commission]

Ordinance appropriating \$73,306, Ethics Commission, from the General Fund Reserve-Ethics Commission, for salary, fringe benefits and non-personal services for the creation of 1.41 position for fiscal year 1997-98; providing for ratification of action previously taken; companion measure to File 98-0057. (Controller)

File 98-0050, Ordinance No. 69-98

Finally passed.

[Salary Ordinance Amendment, Ethics Commission]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Ethics Commission, reflecting the creation of 1.41 new positions; companion measure to File 98-0050. (Department of Human Resources)

File 98-0057, Ordinance No. 70-98

Finally passed.

[Appropriation, Public Library]

Ordinance appropriating \$1,225,367, Public Library, (\$400,000 from the General Fund Reserve, \$114,367 Budget Incentive Reserve, \$354,000 Fine and Fee Revenues, and \$357,000 Fuhrman Gift Fund and rescinding \$357,000 General Fund Books) to fund salaries, professional services, books and equipment for fiscal year 1997-98. (Controller)

File 98-0092, Ordinance No. 71-98

Finally passed.

Adopted

[Prop. J Contract, Security Guard Services]

Resolution retroactively concurring with the Controller's certification that security services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 98-0129, Resolution No. 103-98

Adopted.

[Prop. J Contract, Janitorial Services]

Resolution retroactively concurring with the Controller's certification that janitorial services can be practically performed at the Permit Center at 1660 Mission Street and at 25 Van Ness Avenue by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 98-0130, Resolution No. 104-98

Adopted.

[John Muir Drive Emergency Authorization]

Resolution concurring with and supporting the Director of the Department of Public Works finding and declaring a public emergency; urging said Director to take necessary measures in the most expeditious manner to protect the public safety, health, welfare, and property of citizens of San Francisco with regard to the dangerous condition created by the unstable conditions on John Muir Drive; and authorizing the Director of the Department of Public Works to enter into agreements of indemnity based on this emergency at John Muir Drive. (Department of Public Works)

File 98-0155, Resolution No. 105-98

Adopted.

Recommendations of
Economic Development, Transportation and Technology Committee

Finally Passed

[Regional Transit Discount ID Card Fee]

Ordinance amending Administrative Code, imposing fees to process applications for new, renewed and lost Regional Transit Discount Identification Cards. (Public Transportation Commission)

File 97-97-75, Ordinance No. 65-98

(Adds Section 8.30.)

Finally passed.

[Proof of Payment, Passenger Conduct Violations]

Ordinance amending Traffic Code, to redefine "Streetcar"; by repealing Section 126 regarding boarding and alighting streetcars or vehicles and reenacting that provision in Section 128; to allow boarding of public transit vehicles through rear doors under some circumstances and to require transit passengers to display proof of payment of fares; by repealing and reenacting Section 128 to institute other passenger conduct violations; to impose penalties for violation of Sections 127 and 128; to authorize fare inspectors; by repealing Section 129 regarding expectorating in transit vehicles and reenacting that provision in Section 128; and stating the intent of the Board that funds from enforcement of Sections 127, 128 and Penal Code Section 640 be used to defray costs of the proof of payment program and that an audit be performed every three years. (Public Transportation Department)

File 124-97-6, Ordinance No. 66-98

(Amends Sections 3.2, 127, 128.1;
Repeals Sections 126, 129; Repeals and reenacts Section 128; Adds Section 128-A.)

Finally passed.

[General Plan Referral Procedures]

Ordinance amending Administrative Code, requiring General Plan Referral Reports on the consistency with the City's General Plan of certain actions taken by the Board of Supervisors. (Planning Department)

File 98-0014, Ordinance No. 68-98

(Adds Sections 2A.52 and 2A.53.)

Finally passed.

[Underground District No. 334]

Ordinance creating Underground District No. 334 in the Broad Street/Randolph Street/19th Avenue area. (Supervisors Medina, Bierman)

File 98-0111, Ordinance No. 72-98

Finally passed.

[Underground District No. 335]

Ordinance creating Underground District No. 335 in the Upper Folsom area. (Supervisors Medina, Bierman)

File 98-0112, Ordinance No. 73-98

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations. (Supervisor Newsom)

File 98-0060, Resolution No. 96-98

(Residential Permit Parking Area "C" (2-Hour Time Limit, 8 am - 9 pm, Monday through Saturday) - Rescind
Residential Permit Parking Area "C" (2-Hour Time Limit, 8 am - 10 pm, Monday through Saturday) - Establish

Pine Street, north side, between Jones and Stockton Streets (change in effective hours only).)

Adopted.

[Grant - Federal Funds]

Resolution authorizing Municipal Court to retroactively apply for, accept and expend grant funding in the amount of \$299,562.00 from the Office of Justice Programs to underwrite the cost of the San Francisco Drug Court Enhancement Initiative for the period September 29, 1997, to September 30, 1998. (Municipal Court)

File 98-0009, Resolution No. 93-98

Adopted.

[Grant - Major Narcotic Vendor Prosecution]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$135,501 made available through the Office of Criminal Justice Planning for a project entitled "Major Narcotic Vendor Prosecution Program" for the twelve month period of July 1, 1997, through June 30, 1998. (Supervisors Teng, Medina)

File 98-0055, Resolution No. 94-98

Adopted.

[Grant - State Funds]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$427,388 which include indirect costs of \$20,352 from the Office of Criminal Justice Planning for the "Victim and Witness Assistance Program" for the twelve month period of July 1, 1997 through June 30, 1998. (Supervisors Teng, Medina)

File 98-0081, Resolution No. 99-98

Adopted.

[Grant - State Funds]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$95,000 available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Assistance Program-Surviving Victims of Homicide" for the twelve month period July 1, 1997, through June 30, 1998, and waiving indirect cost due to funding constraints. (Supervisors Teng, Medina)

File 98-0083, Resolution No. 100-98

Adopted.

[Grant - State Funds]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend grant funds not to exceed the amount of \$150,000 including indirect cost not to exceed the amount of \$7,500 made available through the California Office of Criminal Justice Planning for the operation of the "Statutory Rape Vertical Prosecution Program" for the twelve month period August 9, 1997, through August 8, 1998. (Supervisors Teng, Medina)

File 98-0084, Resolution No. 101-98

Adopted.

Recommendations of Rules Committee

Passed on First Reading

[Hazel Louise Ellis v. CCSF et al.]

Ordinance authorizing settlement of litigation of Hazel Louise Ellis against the City and County by payment of \$185,000. (City Attorney)

File 98-0164, Ordinance No.

(Superior Court No. 976-607.)

Passed on first reading.

[Tamilia Gorman/Alexander Rabey v. CCSF et al.]

Ordinance authorizing settlement of litigation of Tamilia Gorman and Alexander Rabey against the City and County by payment of \$27,000. (City Attorney)

File 98-0165, Ordinance No.

(Superior Court No. 961-655.)

Passed on first reading.

[Carol McGee v. CCSF et al.]

Ordinance authorizing settlement of litigation of Carol McGee against the City and County by payment of \$70,000. (City Attorney)

File 98-0166, Ordinance No.

(Superior Court No. 980-710.)

Passed on first reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

(Supervisor Brown dissenting in Committee.)

[Amendment, Advertising Shelter Agreement]

Ordinance approving Third Amendment to Advertising Transit Shelter Agreement between City and County and Outdoor Systems, Inc. to maintain MUNI Metro Extension and F-Line boarding platforms in exchange for advertising on platforms and to expand transit shelter program. (Public Transportation Commission)

File 172-97-19, Ordinance No. 67-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Annual Appropriation Ordinance Amendment]

Ordinance amending Ordinance 345-97 (Annual Appropriation Ordinance) relating to additional services by the Department of Public Health. (Supervisors Kaufman, Katz, Yaki, Teng, Brown, Medina)

File 98-0175, Ordinance No.

(Adds Section 12.4.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

In connection with the above item, Supervisor Medina requested to be added as co-sponsors.

[Competitive Bidding Exemption]

Ordinance waiving competitive bid requirements for the Recreation and Park Commission's award of a Public Works contract to the San Francisco Conservation Corps for performance of restoration activities in designated Significant Natural Resource Areas. (Recreation and Park Department)

File 98-0102, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Special Bond Election, June 2, 1998]

Ordinance calling and providing for a special election to be held in the City and County on Tuesday, June 2, 1998, for the purpose of submitting to the voters of the City and County a proposition to incur bonded indebtedness of the City and County in the principal amount of \$89,900,000 for the acquisition, construction and/or reconstruction of a new museum facility in Golden Gate Park to replace the M. H. de Young Memorial Museum, including funding for improvements to Golden Gate park in the areas appurtenant to, or which provide access to, the de Young Museum; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; waiving the time limit requirements of Section 2.34 of the Administrative Code relating to time of adoption of this resolution before the election; waiving certain requirements of Administrative Code Sections 2A.52 and 2A.53 relating to the requirement for General Plan referral reports; waiving the requirements of Sections 2.30-1, 3.20, 3.21 and 3.22 relating to submission of proposed capital improvement projects to the Capital Improvement Advisory Committee; waiving the requirements of Section 305 of the Municipal Elections Code relating to rules for submission of ordinances and charter amendments by the Board of Supervisors; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such

election; consolidating the special election with the consolidated municipal primary election already scheduled for June 2, 1998; providing that the election precincts, voting places and officers for election shall be the same as for the consolidated municipal primary election scheduled for June 2, 1998; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510. (Supervisors Yaki, Teng, Yee, Katz, Brown, Kaufman, Newsom)

File 98-0108, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted

[Sale of Real Property]

Resolution approving and authorizing an agreement between the City and County, John L. Dominge, and the University of San Francisco (USF), as sellers, and Charles Figg and Lenore Schreiber, as buyer, providing for the sale of certain real property located at 365-67-69 Haight Street and 60 Laussat Street, San Francisco, including the City's undivided five-twelfths interest in such property, which was bequeathed to the City under the estate of John B. Fortunio, for a total gross sales price of \$619,000; finding that competitive bidding would be impractical or impossible for the sale of this property; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and ratifying prior acts. (Real Estate Department)

File 98-0104, Resolution No. 102-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recommendations of Housing and Neighborhood Services Committee

Passed on First Reading

[Apartment Unit Conversion]

Ordinance amending the Administrative Code to increase the minimum rental term from a daily term to a term of at least 30 days, to provide specified administrative, civil and criminal penalties for violations of this chapter (Apartment Unit Conversion). (Supervisors Teng, Katz, Yaki, Brown, Medina)

File 97-97-34.1, Ordinance No.

(Amends Sections 41A.4 and 41A.5;
Adds Section 41.A8.)

Passed on first reading by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Noes: Supervisor Ammiano, Bierman - 2.

[Moratorium on Cabaret Licenses]

Ordinance amending the Police Code to create a moratorium on the issuance of cabaret permits for two years within the area bounded by Bush Street to the north, O'Farrell Street to the south, Taylor Street to the east and Van Ness Avenue to the west. (Supervisors Medina, Teng)

File 110-97-1, Ordinance No.

(Adds Section 1070.26.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Extended-Hours Premises]

Ordinance amending Police Code to substitute the term "Extended-Hours Premises" for "Cabaret" and to conform terminology to the 1996 Charter. (Supervisors Medina, Teng)

File 121-97-9, Ordinance No.

(Amends Sections 1070, 1070.1, 1070.3, 1070.5, 1070.7, 1070.8, 1070.12, 1070.13, 1070.16, 1070.17, 1070.19, 1070.20-1, 1070.21, and 1070.23.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted

[Indemnification Agreement, DPH-UCSF]

Resolution authorizing the Director of Health to execute an agreement with the Regents of the University of California, San Francisco, for the provision of clinical and quality assurance services by a medical director and assistant medical director for the Fire Department's emergency medical services, including an indemnification provision and an exception and waiver to Chapter 12B, as approved by the Human Rights Commission. (Department of Public Health)

File 172-97-79, Resolution No. 89-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Liquor License, 1528 Franklin Street]

Resolution determining that the issuance of a Type 21 off-sale general alcoholic beverage license to Yohannes Petros, for Franklin Market located at 1528 Franklin Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-26, Resolution No. 90-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Liquor License at 473/479 Broadway]

Resolution determining that the issuance of a Type 48 on-sale general-public premises alcoholic beverage control license to Max R. Young and Sam R. Young for the Hi-ball Lounge located at 473 Broadway Street and adjoining building at 479 Broadway, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 223-97-38, Resolution No. 91-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Liquor License, 1080 Dolores Street]

Resolution determining that the issuance of a Type 17 beer and wine wholesaler, and Type 20 off-sale beer and wine licenses to Michael and Anne Dashe for "Dashe Cellars, LLC" located at 1080 Dolores Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0003, Resolution No. 92-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Consideration Continued

[Liquor License Transfer, 1745 Folsom Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 2712 Mission Street (Walgreen Company) to 1745 Folsom Street (Rainbow Grocery) will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Supervisor Teng)

File 98-0151, Resolution No.

Supervisor Teng, seconded by Supervisor Medina, moved to continue consideration to February 23, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted

[Grant - San Francisco Drug Abatement Program]

Resolution authorizing retroactively the District Attorney, Chief of Police, Sheriff, and Chief Adult Probation Officer to apply for, accept, and expend funds in the amount of \$715,469 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Drug abatement Program" for the twelve month period July 1, 1997, through June 30, 1998. (Supervisors Teng, Medina)

File 98-0056, Resolution No. 95-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recommendation of Rules Committee

Adopted

[Meeting Schedule]

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the November 30, 1998 and December 28, 1998 meetings and by canceling all board and committee meetings from August 25, 1998 through September 13, 1998, and by rescheduling the September 21, 1998 meeting to September 22, 1998. (Supervisor Kaufman)

File 98-0080, Resolution No. 98-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

SPECIAL ORDER 3:00 P.M.

Tabled

[Public hearing]

Hearing of persons interested in or objecting to report of delinquent payment of Transit Impact Development Fee on property located at 1141-1145 Market Street, and imposing a special assessment lien on said property pursuant to the provisions of Sections 38.11, et seq. of the Administrative Code.

File 159-97-1

(December 22, 1997 - Consideration continued to February 17, 1998.)

(This hearing was continued on December 22, 1997 because at the time litigation was pending. The settlement of that litigation was approved by the Board of Supervisors on January 20, 1998 (Resolution No. 29-98). The Clerk of the Board and the City Attorney's office suggest the Board table this matter and not hold the hearing.)

Supervisor Teng, seconded by Supervisor Medina, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

From Public Transportation Commission

Tabled

[Delinquent Transfer Impact Development Fee]

Resolution confirming report of delinquent payment of Transit Impact Development Fee on property located at 1141-1145 Market Street, and imposing a special assessment lien on said property pursuant to the provisions of Sections 38.11, et seq. of the Administrative Code.

File 159-97-1, Resolution No.

(December 22, 1997 - Consideration continued to February 17, 1998.)

Supervisor Medina, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

COMMITTEE REPORTS

Recommendation of Health, Family and Environment Committee

Passed on First Reading

[MBE/WBE/LBE Ordinance - III Extension]

Ordinance amending Administrative Code to set forth findings supporting a three month extension of the MBE/WBE/LBE Ordinance - III and providing for the three month extension (from April 1, 1998 to July 1, 1998). (Supervisor Katz)

File 98-205, Ordinance No.

(Adds Section 12D.2-4;
Amends Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12D.15(G).)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, Muni, seniors, disabled, hotelization ordinance;
Jesus Gumban, employment issue;
Virginia Handley, cruelty to animals for food;
Tom Malone, 10th avenue and Fulton Playground;
Victor Maneti, Multi-Lateral Agreement.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Conference with City Attorney
Anticipated Litigation
As Defendant

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a defendant) related to the City's consideration of an extension of the MBE/WBE/LBE Ordinance-III, and further related to the consideration of any additional amendments to this ordinance. This closed session would be permitted by Government Code Section 54956.9(b).

Supervisor Yaki, seconded by Supervisor Ammiano, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recess

The Board recessed at the hour of 3:24 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 4:01 p.m., reconvened.

Supervisor Katz was noted present at 4:06 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney regarding anticipated litigation (City anticipated to be a defendant) related to the City's consideration of an extension of the MBE/WBE/LBE Ordinance-III, and further related to the consideration of any additional amendments to this ordinance, pursuant to Government Code Section 54956.9(b).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Medina, seconded by Supervisor Teng, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Human Rights Sanction Regulations]

Resolution expressing San Francisco's position on its ability to impose sanctions on organizations and entities that do not comply with San Francisco's human rights requirements (oppose Multilateral Agreement on Investment). (Supervisors Ammiano, Bierman)

File 98-0231, Resolution No.

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Supervisor Ammiano, seconded by Supervisor Newsom, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Health, Family and Environment Committee

[Supporting San Francisco Oversight]

Resolution expressing San Francisco's opposition to International, Federal and State agreements that restrict local government's ability to impose sanctions on organizations and entities that do not comply with San Francisco Human Rights requirements. (Supervisors Ammiano, Brown, Bierman)

File 98-0242, Resolution No.

(February 11, 1998 - Referred in Board for consideration on February 17, 1998.)

At the request of Supervisor Ammiano, referred to Health, Family and Environment Committee.

In connection with the above item, Supervisors Brown, Bierman requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Amelia Ashley-Ward]

Resolution commending Amelia Ashley-Ward for her excellent leadership and outstanding commitment to civil rights. (Supervisors Brown, Medina, Teng, Bierman, Katz)

File 98-0226, Resolution No. 106-98

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng, Bierman, Katz requested to be added as co-sponsors.

[Commend Lulann McGriff]

Resolution commending Lulann McGriff for her honorable commitment to civil rights and her invaluable role as an educator, social worker and counselor. (Supervisors Brown, Medina, Teng, Bierman, Katz)

File 98-0227, Resolution No. 107-98

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng, Bierman, Katz requested to be added as co-sponsors.

[Proclaim YMCA Youth and Government Day]

Resolution declaring February 12, 1998 as YMCA Youth and Government Day. (Supervisors Yaki, Medina, Newsom, Teng, Bierman, Brown, Katz)

File 98-0228, Resolution No. 108-98

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Newsom, Teng, Bierman, Brown, Katz requested to be added as co-sponsors.

[Proclaim Wildlife Conservation Day]

Resolution supporting efforts for the tiger conservation and declaring February 6, 1998 to be "Wildlife Conservation Day," so that every year the people of San Francisco will continue to participate in the activities and events of wildlife conservation. (Supervisors Teng, Medina, Newsom, Bierman, Brown, Katz)

File 98-0229, Resolution No. 109-98

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Newsom, Bierman, Brown, Katz requested to be added as co-sponsors.

[Retirement Board Divest Holdings]

Motion concurring in the San Francisco Retirement Board to honor the intent of the 1996 Board of Supervisors' resolution urging the Retirement Board divest holdings in securities of publicly traded companies that derive revenue from the sale of tobacco products. (Supervisors Newsom, Teng, Katz)

File 98-0230, Resolution No. 110-98

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Katz requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 98-0241, Motion No. M98-23

(February 9, 1998 - Introduced in Board for consideration on February 17, 1998.)

Adopted.

[Final Map]

Motion approving final map of 245-255 Central Avenue, a Residential Condominium Project, being a subdivision of Lot 36 in Assessor's Block No. 1222, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0222, Motion No. M98-22

(February 6, 1998 - Referred in Board for consideration on February 17, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Sheriff's Department]

Ordinance appropriating \$208,400, Sheriff's Department, from the General Fund Reserve for overtime and professional services to continue the Resolve to Stop the Violence Program (RSVP), for fiscal year 1997-98; companion measure to File 98-0255 RO #97207. Supervisor Katz presented. Referred to Finance Committee.

File 98-0254.

[Appropriation, Sheriff's Department]

Ordinance appropriating \$275,240, Sheriff's Department, from the General Fund Reserves and Jail Overcrowding Fine Fund for the Resolve to Stop the Violence Project (RSVP), mentor court, and community residential treatment beds for fiscal year 1997-98, reserving \$55,240 pending receipt of Jail Overcrowding Fine Funds; companion to File 98-0254. RO #97205. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0255.

[Appropriation, Board of Supervisors]

Ordinance appropriating and rescinding \$103,779, Board of Supervisors, from Board of Supervisors salaries for training, professional services, equipment maintenance and equipment, for fiscal year 1997-98. RO #97206. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0256.

[Committee Meeting Observer]

Ordinance amending Administrative Code Section 67.3 to allow non-committee members of a policy body to attend a committee meeting as observers without converting the committee meeting into a meeting of the policy body. Supervisors Kaufman, Teng, Medina, Brown presented. Referred to Rules Committee.

File 98-0258.

[Public Pay Telephone Revenues]

Ordinance amending Public Works Code Section 957 to increase the amount of revenues from pay telephones on public sidewalks paid to the City and County of San Francisco. Supervisor Newsom presented. Referred to Finance Committee.

File 98-0259.

[Public Artworks, Historic Landmarks]

Ordinance amending Planning Code Section 149 to add historic landmarks to the list of authorized uses of the one percent set aside for public artwork, provided however that said use for historic landmarks terminates three years from the effective date of this ordinance. Supervisor Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 98-0260.

Referred to Board

[Commend Emerson Chin]

Resolution commending Emerson Chin for his commitment, dedication and valuable contributions to the community. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0261.

[Commend Walgreens Corporation]

Resolution commending Walgreens Corporation for its efforts to educate women in helping to prevent osteoporosis and accepting their generous gift to provide these free services (osteoporosis and cholesterol testing) in collaboration with the Department of Public Health. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0262.

[Commend Economic and Goodwill Mission, Vietnam]

Resolution commending the Economic and Goodwill Mission Delegation on a successful trip to Hanoi and Ho Chi Minh City, Vietnam and the work of the San Francisco-Ho Chi Minh City Committee and urging the San Francisco International Airport to establish a route between Vietnam and San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0263.

[Commend HIV Vaccine Volunteers]

Resolution commending the 33 San Franciscans who have willingly volunteered to test the HIV vaccine and supporting further HIV vaccine research. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0264.

[Commend Steve Cozza]

Resolution commending Steve Cozza, Boy Scout, for his crusade to stop the Boy Scouts of America for its discriminatory practices against gays. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0265.

[Commend Rita Harmon]

Resolution recognizing the leadership and dedication of Rita Harmon, Executive Director of Leadership California. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0266.

[Proclaim St. Francis of Assisi Day]

Resolution declaring February 22, 1998 St. Francis of Assisi Day to commemorate the reopening of the St. Francis of Assisi Church, site of the shrine to St. Francis. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0267.

[James Hormel]

Resolution endorsing President Clinton's nomination of James Hormel to the post of Ambassador to Luxembourg and urging Senate Majority Leader Treat Lott to bring his nomination to the Senate floor for a vote. Supervisors Newsom, Ammiano, Katz, Yee, Bierman, Brown, Kaufman, Medina, Teng, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0268.

[Ron Unz Initiative/English for Children]

Resolution declaring the City and County of San Francisco to be opposed to the Ron Unz Initiative, also known as the "English for the Children" Initiative. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0269.

Referred to Committee

[State Funds, Emergency Management Assistance]

Resolution authorizing designated City and County officials to execute and file, on behalf of the City and County, an application for State financial assistance under the Emergency Management Assistance Program. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 98-0270.

[Street Artist Selling Spaces]

Resolution designating as permanent selling spaces for street artist certified by the Art Commission, ten former temporary spaces on Beach, north side, Larkin to Polk Streets, as designated in Resolution Nos. 572-77, 887-78, 932-79 and 849-80. Supervisor Teng presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0271.

Referred to Board

[Manila, Philippines]

Resolution supporting the Mayor's efforts in developing economic and cultural relationship with Manila, Philippines and urging the City departments to explore professional and managerial training opportunities with Manila as an overall effort to expand San Francisco business opportunities in Asia. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0272.

[Highway Name, Veterans Boulevard]

Resolution urging the State Department of Transportation to designate a portion of State Highway Route 1 as "Veterans Boulevard". Supervisors Yee, Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0273.

[Ban Import of Bullfrogs and Live Turtles]

Resolution urging the State Fish and Game Commission to postpone making a decision on a proposed ban on the importation of bullfrogs and live turtles for food into California until sufficient input of the affected parties, particularly the Chinese American Community, has been obtained. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0274.

[Proposition 215 Implementation Policies]

Resolution requesting pertinent City agencies formulate policies/ordinances on the implementation of the legal aspects of Proposition 215 (medical marijuana initiative). Supervisors Ammiano, Katz, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0275.

Referred to Committee

[State Funds, Clean Air]

Resolution authorizing the Director of Administrative Services to accept and expend \$286,220 from the Transportation Fund for Clean Air for alternative fuel vehicles; and authorizing the Director of Administrative Services to execute an agreement with the Bay Area Air Quality Management District whereby the City would indemnify the district from claims resulting from the City's performance of said agreement. Supervisors Ammiano, Bierman presented. Referred to Health, Family and Environment Committee.

File 98-0276.

Requests for Hearings:

[Signage Change, Army/Cesar Chavez]
Hearing to consider the status of implementation of signage change at Army/Cesar Chavez Streets. Supervisors Ammiano, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0277.

[Miscarriage Rates/Chlorine in Tap Water]
Hearing to consider the State Department of Health Services' study which finds a correlation between high rates of miscarriage and the drinking of tap water. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 98-0278.

[Dog Runs]
Hearing to consider the needs of dog owners for off-leash areas to run their dogs in park areas. Supervisor Brown presented. Referred to Parks and Recreation Committee.

File 98-0279.

Motion:

Referred to Board

[Winter Storms 1998 Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar February 23, 1998.

File 98-0281.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0243. [Appropriation, District Attorney] Ordinance appropriating \$292,932, District Attorney, of public protection grant funds to purchase new computer equipment, office furniture, automobiles, law books, and for facility maintenance for fiscal year 1997-98. RO #97196. (Controller) Referred to Finance Committee.

File 98-0244. [Appropriation, Mayor's Office] Ordinance appropriating \$114,363, Mayor's Office, of Citizens' Option for Public Safety (COPS) Program Revenue to fund the acquisition, installation and expansion of Video Surveillance Systems Program on MUNI vehicles for fiscal year 1997-98. RO #97190. (Controller) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0223. [State Child Care Contract] Resolution authorizing retroactively the execution of contract between the City and County of San Francisco and the State of California Department of Education in the amount of \$52,404 for participation by the City and County in the State's Child Care and Development Program for fiscal years 1996-1997 and 1997-98. (Department of Human Services) Referred to Health, Family and Environment Committee.

File 98-0245. [Lease Renewal, S.F. Convention/Visitors Bureau] Resolution authorizing and approving a negotiated lease with the San Francisco Convention and Visitors Bureau, without competitive bidding, for space in the Benjamin H. Swig Pavilion, Hallidie Plaza. (Real Estate Department) Referred to Finance Committee.

File 98-0246. [BART/Airport/State Joint Use Agreement] Resolution approving the Joint Use and Maintenance Agreement for that portion of the BART San Francisco Airport extension within the State of California Highway right of way which is by and between City and County of San Francisco, acting by and through its Airport Commission, BART, and the State of California. (Also see Files 27-96-13, 27-96-13.1, 98-0001). (Airport Commission) Referred to Finance Committee.

File 98-0247. [State Grant - Career Criminal Prosecution] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$197,178 made available through the Office of Criminal Justice Planning for a project entitled "Career Criminal Prosecution" for the twelve month period of July 1, 1997 through June 30, 1998. (Mayor's Office of Criminal Justice Council) Referred to Housing and Neighborhood Services Committee.

File 98-0248. [State Grant - Elder Abuse] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$95,000 available through the Office of Criminal Justice Planning for a project entitled "Elder Abuse Special Emphasis Victim Assistance Program" for the twelve month period July 1, 1997 through June 30, 1998, and waiving indirect cost due to funding constraints. (Mayor's Office of Criminal Justice Council) Referred to Housing and Neighborhood Services Committee.

File 98-0249. [State Grant - Spousal Abuser Prosecution Program] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds not to exceed \$132,000 with no indirect costs available through the California Department of Justice for a project entitled "Spousal Abuser Prosecution Program" for the twelve month period July 1, 1997 through June 30, 1998. (Mayor's Office of Criminal Justice Council) Referred to Housing and Neighborhood Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that letter be sent to Controller requesting report on the financial status of five cities comparable to San Francisco, including the level of reserve fund and emergency reserve fund.

By Supervisor Ammiano, that letter be sent to Director of Health Services requesting clarification, in cases where domestic partners of City employees are covered by the City Health Plan and by Medicare, which program is the primary insurer.

By Supervisor Bierman, that letter of inquiry be sent to Director, Department of Building Inspection, to determine the status of legislation prepared by the Office of Emergency Services that would include San Francisco in the Federal Emergency Management Agency's National Flood Insurance program.

By Supervisor Brown, that letter be sent to Director, Department of Public Health, to inquire what steps the department is taking to deal with the proliferating rat population and whether such efforts can be executed in harmony with the integrated pest management ordinance.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Ron Ferris (Supervisor Kaufman)
George Rehmet (Supervisor Bierman)
Frederick Georges (Supervisor Yaki)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:08 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 23, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, February 23, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 93

Number 8

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 23, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Noted absent at first roll call:

Supervisor Teng - 1.

Quorum present.

Supervisor Teng was noted present at 2:05 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Bierman, moved that the Journals of Proceedings for Monday, January 5 and January 12, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisor Teng - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Annual Appropriation Ordinance Amendment]

Ordinance amending Ordinance 345-97 (Annual Appropriation Ordinance) relating to additional services by the Department of Public Health. (Supervisors Kaufman, Katz, Yaki, Teng, Brown, Medina, Yee)

File 98-0175, Ordinance No. 83-98

(Add Section 12.4.)

Finally passed.

In connection with the above item, Supervisor Yee requested to be added as co-sponsor.

[Competitive Bidding Exemption]

Ordinance waiving competitive bid requirements for the Recreation and Park Commission's award of a Public Works contract to the San Francisco Conservation Corps for performance of restoration activities in designated Significant Natural Resource Areas. (Recreation and Park Department)

File 98-0102, Ordinance No. 78-98

Finally passed.

Adopted

[Airline Lease Modification]

Resolution approving Modification No. 13 of Lease and Use Agreement between United Air Lines, Inc. and City and County, acting by and through its Airport Commission. (Airport Commission)

File 27-97-13, Resolution No. 111-98

Adopted.

[Lease of Real Property, 3119 Mission Street]

Resolution authorizing a lease of real property at 3119 Mission Street, for the Department of Human Services to provide space for the implementation of CalWORKs, the new State career training and employment development program established as part of Federal Welfare Reform. (Mayor Willie L. Brown, Jr.)

File 98-0234, Resolution No. 124-98

Adopted.

[Lease of Real Property, 1428 Bush Street]

Resolution authorizing lease of real property at 1428 Bush Street, for the Department of Human Services to provide space for the implementation of CalWORKs, the new State career training and employment development program established as part of Federal Welfare Reform. (Mayor Willie L. Brown, Jr.)

File 98-0235, Resolution No. 125-97

Adopted.

Recommendations of Health, Family & Environment Committee

Adopted

[Grant - State]

Resolution authorizing the Department of Public Health, Environmental Health Management Section, to accept and expend retroactively a grant of \$5,000 which includes indirect costs in the amount of \$699, based on twenty-two percent (22%) of salaries, from the California Department of Fish & Game, Office of Oil Spill Prevention and Response, for providing input into the San Francisco Bay/San Joaquin Delta Area Contingency Plan for oil spills. (Department of Public Health)

File 98-0097, Resolution No. 113-97

Adopted.

[Grant - Federal]

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant in the amount of \$151,123 from the Centers for Disease Control to fund the Evaluation of Enhanced Partner Notification for Persons Recently Infected with HIV Project; providing for ratification of action previously taken. (Department of Public Health)

File 98-0098, Resolution No. 114-98

Adopted.

[Used Oil Recycling Grant]

Resolution authorizing the City Administrator to apply for, accept and expend retroactively \$35,348 in additional oil recycling grant funding from the California Integrated Waste Management Board; waiving indirect costs. (Solid Waste Management Program)

File 98-0101, Resolution No. 115-98

Adopted.

[CA Integrated Waste Management Board Receipt]

Resolution authorizing the City Administrator to accept and expend retroactively \$25,000 from the California Integrated Waste Management Board. (City Administrator)

File 98-0158, Resolution No. 117-98

Adopted.

[Environmental Protection Agency Receipt]

Resolution authorizing the City Administrator to accept and expend retroactively \$5,000 from the Environmental Protection Agency. (City Administrator)

File 98-0159, Resolution No. 118-98

Adopted.

[State Child Care Contract]

Resolution authorizing the execution retroactively of a contract between the City and County and the State of California Department of Education in the amount of \$606,060 for participation by the City and County in the State's Child Care and Development Program for fiscal year 1997-1998. (Department of Human Services)

File 98-0160, Resolution No. 119-98

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Moratorium on Cabaret Licenses]

Ordinance amending the Police Code to create a moratorium on the issuance of cabaret permits for two years within the area bounded by Bush Street to the north, O'Farrell Street to the south, Taylor Street to the east and Van Ness Avenue to the west. (Supervisors Medina, Teng)

File 110-97-1, Ordinance No. 75-98

(Adds Section 1070.26.)

Finally passed.

[Extended-Hours Premises]

Ordinance amending Police Code to substitute the term "Extended-Hours Premises" for "Cabaret" and to conform terminology to the 1996 Charter. (Supervisors Medina, Teng)

File 121-97-9, Ordinance No. 76-98

(Amend Sections 1070, 1070.1, 1070.3, 1070.5, 1070.7, 1070.8, 1070.12, 1070.13, 1070.16, 1070.17, 1070.19, 1070.20-1, 1070.21, and 1070.23.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Hazel Louise Ellis v. CCSF et al.]

Ordinance authorizing settlement of litigation of Hazel Louise Ellis against the City and County by payment of \$185,000. (City Attorney)

File 98-0164, Ordinance No. 79-98

(Superior Court No. 976-607.)

Finally passed.

[Tamilia Gorman/Alexander Rabey v. CCSF et al.]

Ordinance authorizing settlement of litigation of Tamilia Gorman and Alexander Rabey against the City and County by payment of \$27,000. (City Attorney)

File 98-0165, Ordinance No. 80-98

(Superior Court No. 961-655.)

Finally passed.

[Carol McGee v. CCSF et al.]

Ordinance authorizing settlement of litigation of Carol McGee against the City and County by payment of \$70,000. (City Attorney)

File 98-0166, Ordinance No. 81-98

(Superior Court No. 980-710.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Special Bond Election, June 2, 1998]

Ordinance calling and providing for a special election to be held in the City and County on Tuesday, June 2, 1998, for the purpose of submitting to the voters of the City and County a proposition to incur bonded indebtedness of the City and County in the principal amount of \$89,900,000 for the acquisition, construction and/or reconstruction of a new museum facility in Golden Gate Park to replace the M. H. de Young Memorial Museum, including funding for improvements to Golden Gate Park in the areas appurtenant to, or which provide access to, the de Young Museum; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; waiving the time limit requirements of Section 2.34 of the Administrative Code relating to time of adoption of this resolution before the election; waiving certain requirements of Administrative Code Sections 2A.52 and 2A.53 relating to the requirement for General Plan referral reports; waiving the requirements of Sections 2.30-1, 3.20, 3.21 and 3.22 relating to submission of proposed capital improvement projects to the Capital Improvement Advisory Committee; waiving the requirements of Section 305 of the Municipal Elections Code relating to rules for submission of ordinances and charter amendments by the Board of Supervisors; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the special election with the consolidated municipal primary election already scheduled for June 2, 1998; providing that the election precincts, voting places and officers for election shall be the same as for the consolidated municipal primary election scheduled for June 2, 1998; and waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510. (Supervisors Yaki, Teng, Yee, Katz, Brown, Kaufman, Newsom)

File 98-0108, Ordinance No. 64-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recommendation of Economic Development, Transportation
and Technology Committee

Finally Passed

[Parking and Traffic, Taxicabs]

Ordinance amending Traffic Code, regarding the exemption of taxicabs from turn prohibitions. (Supervisor Newsom)

File 98-0016, Ordinance No. 77-98

(Amends Section 34.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recommendation of Health, Family and Environment Committee

Finally Passed

[MBE/WBE/LBE Ordinance - III Extension]

Ordinance amending Administrative Code to set forth findings supporting a three month extension of the MBE/WBE/LBE Ordinance - III and providing for the three month extension (from April 1, 1998 to July 1, 1998). (Supervisor Katz)

File 98-205, Ordinance No. 82-98

(Adds Section 12D.2-4;

Amends Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12D.15(G).)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Apartment Unit Conversion]

Ordinance amending the Administrative Code to increase the minimum rental term from a daily term to a term of at least 30 days, to provide specified administrative, civil and criminal penalties for violations of this chapter (Apartment Unit Conversion). (Supervisors Teng, Katz, Yaki, Brown, Medina)

File 97-97-34.1, Ordinance No. 74-98

(Amends Sections 41A.4 and 41A.5;

Adds Section 41A.8.)

Finally passed by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Noes: Supervisors Ammiano, Bierman - 2.

Adopted as Amended

[Liquor License Transfer, 1745 Folsom Street]

Resolution determining that the transfer of a Type 21 off-sale beer and wine license from 2712 Mission Street (Walgreen Company) to 1745 Folsom Street (Rainbow Grocery) will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Supervisor Teng)

File 98-0151, Resolution No. 116-98

(February 17, 1998 - Consideration continued to February 23, 1998.)

Supervisor Teng, seconded by Supervisor Newsom, moved an amendment of the whole entitled, "Resolution determining that the transfer of a Type 21 off-sale beer and wine license from 2712 Mission Street (Walgreen Company) to 1745 Folsom Street (Rainbow Grocery) will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[MOU, Local 250-A (Classification 7410)]

Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Transport Workers Union, Local 250-A (Classification 7410) and the City and County retroactively providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 98-0093, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[MOU, Local 250-A (Multi-Unit)]

Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Transport Workers Union, Local 250-A (Multi-Unit) and the City and County retroactively providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 98-0094, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[MOU, Local 200]

Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Transport Workers Union, Local 200 and the City and County retroactively providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 98-0095, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[MOU, Local 856 (Multi-Unit)]

Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Teamsters, Local 856 and the City and County providing that all covered employees be placed into full retirement contribution status effective June 30, 1998 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 98-0099, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[MOU, Locals 250, 535 and 790]

Ordinance implementing an agreement adjusting the compensation of certain classifications pursuant to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County, to be effective March 1, 1998. (Department of Human Resources)

File 98-0131, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[MOU, Arbitrator's Award, Locals 250, 535 and 790]

Ordinance implementing the Arbitrator's Award dated November 6, 1997 adjusting the compensation of 9212 Airfield Safety Officers pursuant to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County, such award to be effective retroactively to October 7, 1995. (Department of Human Resources)

File 98-0132, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted as Amended

[Federal Funding - Community Development]

Resolution approving the 1998 Community Development Program, authorizing the Mayor, on behalf of the City and County to accept and expend the City's 1998 Community Development Block Grant (CDBG) Entitlement from the U.S. Department of Housing and Urban Development, and program income generated by

the S.F. Redevelopment Agency up to \$38,046,000 which includes indirect costs of \$124,015; approving expenditure schedules as amended herein for recipient departments and agencies and for indirect costs, and, determining no environmental evaluation is required, authorizing the receipt and deposit of 1998 CDBG entitlement funds in excess of \$24,969,000; prohibiting the use of contingency funds; requiring separate budgetary listings of the Mayor's Community Development and Housing activities; reserving ((\$3,027,589))\$3,037,589. (Mayor's Office of Community Development)

File 98-0217, Resolution No. 121-98

Supervisor Teng, seconded by Supervisor Medina, moved an amendment of the whole entitled, "Resolution approving the 1998 Community Development Program, authorizing the Mayor, on behalf of the City and County to accept and expend the City's 1998 Community Development Block Grant (CDBG) Entitlement from the U.S. Department of Housing and Urban Development, and program income generated by the S.F. Redevelopment Agency up to \$38,046,000 which includes indirect costs of \$124,015; approving expenditure schedules as amended herein for recipient departments and agencies and for indirect costs, and, determining no environmental evaluation is required, authorizing the receipt and deposit of 1998 CDBG entitlement funds in excess of \$24,969,000; prohibiting the use of contingency funds; requiring separate budgetary listings of the Mayor's Community Development and Housing activities; reserving \$3,037,589."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted

[Federal Funding - Emergency Shelter Grants Program]

Resolution approving the 1998 Emergency Shelter Grants Program and expenditure schedule and authorizing the Mayor to apply for, accept and expend a \$984,000 entitlement under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development; placing \$215,000 on reserve. (Mayor's Office of Community Development)

File 98-0218, Resolution No. 122-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Federal Funding - HOME Program]

Resolution authorizing the Mayor to apply for, accept and administer a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed \$6,585,000 for the HOME Program authorized under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the HOME Program description as described in the 1998 Action Plan for San Francisco's Consolidated Plan; and adding reporting requirements. (Mayor's Office of Community Development)

File 98-0219, Resolution No. 123-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recommendation of Economic Development, Transportation
and Technology Committee

Adopted

[Lease, Treasure Island]

Resolution approving and authorizing an amendment by and between the City and County and Universal Studios for the sublease of Buildings 3 and 180 on Treasure Island. (Mayor Willie L. Brown, Jr.)

File 98-0186, Resolution No. 120-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recommendation of Health, Family & Environment Committee

Adopted as Amended

[Temporary Assistance to Needy Families Funds]

Resolution authorizing the Juvenile Justice Coordinating Council to serve as the Local Planning Council to advise the Chief Probation Officer in the development of an expenditure plan for approximately \$3.1 million in Temporary Assistance to Needy Families Funds from the State Department of Social Services to be used to expand existing services. (Supervisor Bierman)

File 98-0070, Resolution No. 112-98

Supervisor Bierman, seconded by Supervisor Ammiano, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Gary, ban on importing bullfrogs and turtles for food;

Female speaker, ban on importing bullfrogs and turtles for food:

Susan Hartfeld.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Adopted

[Commend Emerson Chin]

Resolution commending Emerson Chin for his commitment, dedication and valuable contributions to the community. (Supervisors Teng, Bierman, Katz)

File 98-0261, Resolution No. 126-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Commend Walgreens Corporation]

Resolution commending Walgreens Corporation for its efforts to educate women in helping to prevent osteoporosis and accepting their generous gift to provide these free services (osteoporosis and cholesterol testing) in collaboration with the Department of Public Health. (Supervisors Teng, Medina, Bierman, Brown, Katz)

File 98-0262, Resolution No. 127-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Bierman, Brown, Katz requested to be added as co-sponsors.

[Commend Economic and Goodwill Mission, Vietnam]

Resolution commending the Economic and Goodwill Mission Delegation on a successful trip to Hanoi and Ho Chi Minh City, Vietnam and the work of the San Francisco-Ho Chi Minh City Committee and urging the San Francisco International Airport to establish a route between Vietnam and San Francisco. (Supervisors Teng, Medina, Brown, Katz)

File 98-0263, Resolution No. 128-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Brown, Katz requested to be added as co-sponsors.

[Commend HIV Vaccine Volunteers]

Resolution commending the 33 San Franciscans who have willingly volunteered to test the HIV vaccine and supporting further HIV vaccine research. (Supervisors Ammiano, Bierman, Medina, Yaki, Brown, Katz)

File 98-0264, Resolution No. 129-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Yaki, Brown, Katz requested to be added as co-sponsors.

[Commend Steve Cozza]

Resolution commending Steve Cozza, Boy Scout, for his crusade to stop the Boy Scouts of America from its discriminatory practices against gays. (Supervisors Ammiano, Bierman, Yaki, Katz)

File 98-0265, Resolution No. 130-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisors Yaki, Katz requested to be added as co-sponsors.

[Commend Rita Harmon]

Resolution recognizing the leadership and dedication of Rita Harmon, Executive Director of Leadership California. (Supervisors Katz, Teng, Bierman)

File 98-0266, Resolution No. 131-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Proclaim St. Francis of Assisi Day]

Resolution declaring February 22, 1998 St. Francis of Assisi Day to commemorate the reopening of the St. Francis of Assisi Church, site of the shrine to St. Francis. (Supervisors Bierman, Medina, Teng, Yaki, Ammiano)

File 98-0267, Resolution No. 132-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng, Yaki, Ammiano requested to be added as co-sponsors.

[James Hormel]

Resolution endorsing President Clinton's nomination of James Hormel to the post of Ambassador to Luxembourg and urging Senate Majority Leader Treat Lott to bring his nomination to the Senate floor for a vote. (Supervisors Newsom, Ammiano, Katz, Yee, Bierman, Brown, Kaufman, Medina, Teng, Yaki)

File 98-0268, Resolution No. 133-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

[Ron Unz Initiative/English for Children]

Resolution declaring the City and County of San Francisco to be opposed to the Ron Unz Initiative, also known as the "English for the Children" Initiative. (Supervisors Bierman, Medina, Teng, Ammiano, Katz)

File 98-0269, Resolution No. 134-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng, Ammiano, Katz requested to be added as co-sponsors.

[Manila, Philippines]

Resolution supporting the Mayor's efforts in developing economic and cultural relationship with Manila, Philippines and urging the City departments to explore professional and managerial training opportunities with Manila as an overall effort to expand San Francisco business opportunities in Asia. (Supervisors Teng, Medina, Brown, Katz, Bierman)

File 98-0272, Resolution No. 135-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Brown, Katz, Bierman requested to be added as co-sponsors.

[Highway Name, Veterans Boulevard]

Resolution urging the State Department of Transportation to designate a portion of State Highway Route 1 as "Veterans Boulevard". (Supervisors Yee, Ammiano, Bierman, Brown)

File 98-0273, Resolution No. 136-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Ban Import of Bullfrogs and Live Turtles]

Resolution urging the State Fish and Game Commission to postpone making a decision on a proposed ban on the importation of bullfrogs and live turtles for food into California until sufficient input of the affected parties, particularly the Chinese American Community, has been obtained. (Supervisor Yee)

File 98-0274, Resolution No. 137-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

[Proposition 215 Implementation Policies]

Resolution requesting pertinent City agencies formulate policies/ordinances on the implementation of the legal aspects of Proposition 215 (medical marijuana initiative). (Supervisors Ammiano, Katz, Bierman, Medina, Yaki)

File 98-0275, Resolution No. 138-98

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Yaki requested to be added as co-sponsors.

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. (Supervisors Kaufman, Ammiano, Katz)

File 98-0281, Motion No. M98-25

(February 17, 1998 - Introduced in Board for consideration on February 23, 1998.)

Adopted.

In connection with the above item, Supervisors Ammiano, Katz requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Medina, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Medina, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Imperative Resolution]

Adopted

[Commend Paul Varacalli]

Resolution commending Paul Varacalli for his thirty year career at SEIU Local 790.

File 98-0295, Resolution No. 139-98

Supervisor Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Fees for Paratransit Services]

Ordinance approving revised fare schedule for the San Francisco Municipal Railway's contracted lift van and group van paratransit services to provide for lift van services at a rate of 90 cents per trip or a \$35.00 monthly fast pass, and group van services at a rate of 60 cents per trip, and to credit any increased revenues from such fares to provide for additional paratransit services. Reactivated by Supervisor Kaufman and referred to Finance Committee.

File 007-97-002.

[Appropriation, Police Department]

Ordinance appropriating and rescinding \$6,635, Police Department, for salaries for the creation of the position of Director of Police Psychology for fiscal year 1997-98; companion measure to File 98-0286. RO #97208. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0285.

[Salary Ordinance Amendment, Police Department]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Police Department, reflecting the creation of one new position (Q90 Director of Police Psychology); companion measure to File 98-0285. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0286.

[Street Flower Market]

Ordinance amending Public Works Code Section 155 to add to the Market Street Flower Market the location on the east sidewalk of Montgomery Street, at Market Street, within 50 feet south of the north property line of Post Street. Supervisor Kaufman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0293.

[Telecommunications Plan]

Ordinance amending Administrative Code Section 11.54 to change the due date of the Telecommunications Plan to December 31, 1998. Supervisor Kaufman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0294.

[UCSF Land Donation, CEQA Findings]

Substitute resolution adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act and State guidelines in connection with certain documents relating to the conveyance of land to the Regents of the University of California to be developed for university purposes; companion to Files 98-0183 and 98-0184. Supervisor Yaki presented. Referred to Finance Committee with request it be considered at the March 4, 1998 meeting.

File 98-0182.

[UCSF Property Donation Conveyance]

Substitute resolution approving and authorizing the conveyance, for no consideration, to the Regents of the University of California, of approximately 1.34 acres of present and former street areas at 16th and 6th Streets to be developed for university purposes; adopting findings that the conveyance is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion to Files 98-0182 and 98-0184. Supervisor Yaki presented. Referred to Finance Committee with request it be considered at the March 4, 1998 meeting.

File 98-0183.

[UCSF Donation, Public Trust Agreement]

Substitute resolution finding and determining that the conveyance to the Regents of the University of California of certain real property located near Sixth and 16th Streets is authorized by and consistent with the provisions of Chapter 1143 of the Statutes of 1991, as amended; approving an agreement; and ratifying past acts; companion to Files 98-0182 and 98-0183. Supervisor Yaki presented. Referred to Finance Committee with request it be considered at the March 4, 1998 meeting.

File 98-0184.

[Proclaim Chinatown Health Day]

Resolution commending the Caring for Asian Children Collaborative/Asian Women's Resource Center, the Chinese Community Health Education Council, NIOS Chinese Health Coalition, and Self Help for the Elderly for their effort to bring health information and services to San Francisco residents and declaring March 7, 1998 as "Chinatown Health Day". Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0296.

Referred to Board

[Commend Chinese Progressive Association]

Resolution commending the Chinese Progressive Association for its outstanding contributions to the San Francisco Chinese American Community and congratulating the Chinese Progressive Association for its 25th Anniversary and declaring February 28, 1998 as "Chinese Progressive Association Day". Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0297.

[Commend Carl Woo]

Resolution commending Carl Woo for his distinguished services to the Chinese American Community and congratulating Carl Woo for being named the ten most influential persons in the Bay Area and declaring February 20, 1998 as "Carl Woo Day". Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0298.

[Commend Susheel Bibbs]

Resolution commending Susheel Bibbs for her performing and literary work depicting the life of Mary Ellen Pleasant. Supervisors Brown, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0299.

[Proclaim Varian Fry Day]

Resolution celebrating the life of Varian Fry, a man who risked his life to save nearly 2000 prominent intellectual refugees, including many Jews, from the Nazi regime during World War II and declaring March 8, 1998 as Varian Fry Day. Supervisors Kaufman, Katz, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0300.

[Golden Gate Bridge Toll]

Resolution opposing the proposed toll for bicycle and pedestrian use of the Golden Gate Bridge. Supervisors Newsom, Yaki, Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0301.

[State Legislation, AB 2411 Red Light Violation]

Resolution supporting AB 2411 to improve the effectiveness of red light cameras by making the registered owner of a car liable for any red light violation caught on camera whether or not the driver is recognized and thanking Assembly member Kevin Shelley for sponsoring this legislation. Supervisors Newsom, Katz, Bierman, Teng, Amiano, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0302.

[State Legislation, AB 1999 Human Rights]

Resolution supporting AB 1999 which protects the human rights of transgendered persons and urging San Francisco's State elected officials and lobbyists support and lobby on behalf of this legislation. Supervisors Amiano, Bierman, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0303.

[State Legislation, AB 3037, Smoke-free Worksite]

Resolution supporting AB 3037 which amended Labor Code 6404.5 to create smoke free worksites, including bars and restaurants. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0304.

[Red Light Money Allocation]

Resolution expressing a policy to allocate shares of the money from the traffic safety account set up by the Controller to track and contain revenue from the Shelley Bill (AB 1191). Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0305.

[Cigarette Tax]

Resolution supporting and encouraging Dianne Feinstein in her efforts to tax cigarettes and to allocate that money for improvements to our public school system. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0306.

[Neighborhood Community Homeless Projects]

Resolution urging the Mayor's Office of Homelessness to develop neighborhood specific programs for its homeless populations. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0307.

[Appointment]

Resolution appointing Supervisor Leslie Katz as the voting delegate representing the City and County of San Francisco at the April 17, 1998, annual meeting of the General Assembly of the Association of Bay Area Governments. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0308.

Requests for Hearings:

[Sewage Problems]

Hearing to consider the causes and possible solutions to the sewage problems in the Hunters Point/Bayview community. Supervisor Brown presented. Referred to Health, Family and Environment Committee.

File 98-0309.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar March 2, 1998.

File 98-0310.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0253. [Management Agreement, Civic Center Plaza Garage] Ordinance approving form of the Civic Center Plaza Garage Management Agreement and bid documents, and authorizing and urging the Director of Property to advertise an invitation for bids for management of the Civic Center Plaza Garage using the approved bid documents. (Real Estate Department) Referred to Housing and Neighborhood Services Committee.

File 98-0257. [Cade-Hill, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Service Employees International Union, AFL-CIO, Local 790 and Ernestine Cade-Hill and the City and County of San Francisco by payment of \$27,415.85. (Grievance No. 65-0690). (City Attorney) Referred to Rules Committee.

File 98-0280. [Ronald Madarang, et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Ronald Madarang against the City and County of San Francisco by payment of \$52,250. (Superior Court No. 981-749). (City Attorney) Referred to Rules Committee.

File 98-0282. [Rhonda Collins, et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Rhonda Collins against the City and County of San Francisco by payment of \$1,000,000. (U.S. District Court No. C93-0741). (City Attorney) Referred to Rules Committee.

File 98-0283. [Robert Pinckney, et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Robert Pinckney against the City and County of San Francisco by payment of \$83,835. (U.S. District Court No. C96-0919). (City Attorney) Referred to Rules Committee.

Resolutions Referred to Committee

File 98-0287. [State and Federal Funds] Resolution authorizing the Executive Director to retroactively apply for, accept, and expend up to \$5,111,500 in combined State and Federal funds for the right-of-way acquisition and construction of Cesar Chavez (Army) Street Widening Project, from Mississippi Street to Third Street, and the Bayshore Boulevard Weaving Project at Jerrold Avenue. (Department of Parking and Traffic) Referred to Economic Development, Transportation and Technology Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Newsom, that City Attorney draft opinion delineating the legal rights of and restrictions attendant to delivery vehicles which are double parked while making a delivery when the delivery zone is occupied.

By Supervisor Newsom, that letter be sent to each City department requesting report by April 1, 1998, on each department's customer service practice over the last 12 months and provide a customer service plan for the next twelve months which focus on courteous, quick, accurate and accessible customer service.

By Supervisor Yaki, that letter of inquiry be sent to Bay Area Rapid Transit District concerning change machines to determine whether it is feasible to install machines that issue bills instead of coins-only in San Francisco BART stations.

By Supervisor Ammiano, that letter be sent to his Honor, the Mayor, concerning the Grants for the Arts Program to inquire on the status of the applications for the Asian Pacific Cultural Center and the Queer Cultural Center.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Samuel Alhadeff (Supervisor Katz)
Peter Joseph Tranchina (Supervisor Newsom)

Unanimously adopted by a rising vote.

Monday, February 23, 1998

ADJOURNMENT

There being no further business, the Board at the hour of 3:29 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 6, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, March 2, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 2, 1998 - 6:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in Special session on the above date at the Sunnydale Housing Community Center with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 6:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Katz, Medina - 2.

Quorum present.

Supervisor Katz was noted present at 6:25 p.m.

Supervisor Medina Excused

The Clerk stated Supervisor Medina requested to be excused from attending today's meeting.

Supervisor Teng, seconded by Supervisor Brown, moved to excuse Supervisor Medina from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Katz, Medina - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Yaki, moved that the Journals of Proceedings for Tuesday, January 20 and Monday, January 26, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Katz, Medina - 2.

Suspension of the Rules
Presentation of Guests

Supervisor Ammiano, seconded by Supervisor Newsom, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Ms. Patricia Shorenberg, Ms. Emma McFarland, Executive Monitor, Housing and Urban Development and Mr. Ronnie Davis, Executive Director, San Francisco Housing Authority.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

The guests thanked the Board of Supervisors for bringing its meeting to the community and spoke briefly of the changes to the housing development

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[MOU, Local 250-A (Classification 7410)]

Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Transport Workers Union, Local 250-A (Classification 7410) and the City and County retroactively providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 98-0093, Ordinance No. 84-98

Finally passed.

[MOU, Local 250-A (Multi-Unit)]

Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Transport Workers Union, Local 250-A (Multi-Unit) and the City and County retroactively providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 98-0094, Ordinance No. 85-98

Finally passed.

[MOU, Local 200]

Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Transport Workers Union, Local 200 and the City and County retroactively providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 98-0095, Ordinance No. 86-98

Finally passed.

[MOU, Local 856 (Multi-Unit)]

Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Teamsters, Local 856 and the City and County providing that all covered employees be placed into full retirement contribution status effective June 30, 1998 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 98-0099, Ordinance No. 87-98

Finally passed.

[MOU, Locals 250, 535 and 790]

Ordinance implementing an agreement adjusting the compensation of certain classifications pursuant to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County, to be effective March 1, 1998. (Department of Human Resources)

File 98-0131, Ordinance No. 88-98

Finally passed.

[MOU, Arbitrator's Award, Locals 250, 535 and 790]

Ordinance implementing the Arbitrator's Award dated November 6, 1997 adjusting the compensation of 9212 Airfield Safety Officers pursuant to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County, such award to be effective retroactively to October 7, 1995. (Department of Human Resources)

File 98-0132, Ordinance No. 89-98

Finally passed.

Adopted

[Emergency Repair, 23rd Avenue Sewer Replacement]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on 23rd Avenue from Lincoln Way to Irving Street - \$221,938. (Public Utilities Commission)

File 98-0200, Resolution No. 147-98

(Fiscal Impact.)

Adopted.

[Emergency Repair, Ocean Beach Slope Erosion]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the safety and property of the citizens of San Francisco by performing the necessary work to prevent ocean beach slope erosion threatening roadway loss along the Great Highway between the two national park service parking lots - \$200,000. (Department of Public Works)

File 98-0211, Resolution No. 148-98

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Gift Acceptance, Police Department]

Resolution retroactively authorizing the Police Department to accept the gift of a Live Scan Fingerprint machine and printer valued at \$43,000. (Police Commission)

File 98-0137, Resolution No. 145-98

Adopted.

[Gift Acceptance, Department of Public Works]

Resolution authorizing the Director of Public Works to accept and expend a gift of up to \$500,000 from the San Francisco Foundation Community Initiative Funds and the Friends of Recreation and Park, to construct the improvements of Pioneer Park at Coit Tower. (Department of Public Works)

File 98-0161, Resolution No. 146-98

Adopted.

Recommendations of Rules Committee

Passed on First Reading

[Albertina Curiel v. CCSF, et. al.]

Ordinance authorizing settlement of litigation of Albertina Curiel against the City and County by payment of \$55,000. (City Attorney)

File 98-0206, Ordinance No.

(Superior Court No. 980-526.)

Passed on first reading.

[William Glass v. Gregory Kazarian, CCSF, et al.]

Ordinance authorizing settlement of litigation of William Glass against Gregory Kazarian and the City and County by payment of \$69,000. (City Attorney)

File 98-0207, Ordinance No.

(Superior Court No. 972-719.)

Passed on first reading.

Adopted

[Appointments]

Resolution appointing two governing body members to the San Francisco Health Authority. (San Francisco Health Plan)

File 92-97-53.1, Resolution No. 140-98

(Sophie Wong, succeeding herself, Seat No. 50606, must be nominee of San Francisco Community Clinic Consortium;
Kate O'Malley, succeeding herself, Seat No. 50613, must be nominee of San Francisco Health Authority Program Committee.)

Adopted.

[Appointment]

Resolution appointing member to the Bicycle Advisory Committee, for a new three-year term ending December 31, 2000. (Rules Committee)

File 92-97-55.1, Resolution No. 141-98

(Laura Gentile, succeeding Albert Glenn, Seat No. 24303, must represent environmental organization, term expired.)

Adopted.

[Appointment]

Resolution appointing member to the Sunshine Ordinance Task Force, for the unexpired portion of a two-year term ending April 27, 1998. (Rules Committee)

File 98-0133, Resolution No. 143-98

(Johnny Brannon, succeeding Zoran Basich, Seat No. 27103, must be member of press or electronic media with interest in citizen access, resigned.)

Adopted.

[Appointment]

Resolution appointing member to the Animal Control and Welfare Commission, for the unexpired portion of a two-year term ending April 30, 1999. (Rules Committee)

File 98-0134, Resolution No. 144-98

(Mrs. Chin Chi, succeeding Nola Chow, Seat No. 20703, must be a public-at-large appointment, resigned.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Katz, Medina - 2.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[MOU, Teamsters Local 350]

Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Teamsters, Local 350 and the City and County providing that all covered employees be placed into full retirement contribution status effective June 30, 1998 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 98-0203, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Katz, Medina - 2.

[Appropriation, Department of Public Works]

Ordinance appropriating \$200,000, Department of Public Works, of Broadway Parking Lot Revenues to fund the local share of the cost to do County-wide Transportation Plan for fiscal year 1997-98. (Controller)

File 98-0208, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Katz, Medina - 2.

Adopted

[Lease of Property at 3801 Third Street]

Resolution authorizing a lease of real property at 3801 Third Street, for the Mental Health Division of the Department of Public Health. (Real Estate Department)

File 98-0096, Resolution No. 142-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Katz, Medina - 2.

[Bond Sale, Series 1998C, Educational Facilities]

Resolution authorizing and directing the sale of not to exceed \$47,000,000 City and County general obligation bonds (Educational Facilities Bonds, 1997 San Francisco Unified School District), Series 1998C; prescribing the form and terms of said bonds; authorizing the execution, authentication and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related thereto; approving the forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of official notice of sale and intention to sell bonds; approving the form and execution of the official statement relating thereto; approving the form of the continuing disclosure certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said bonds. (Mayor Willie L. Brown, Jr.)

File 98-0236, Resolution No. 149-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Katz, Medina - 2.

Recommendations of Housing and Neighborhood Services Committee

Passed on First Reading

[Parking Regulation]

Ordinance amending the Traffic Code, regarding the towing of vehicles from yellow zones. (Department of Parking and Traffic)

File 98-0008, Ordinance No.

(Amends Section 71.B.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Katz, Medina - 2.

[Weight Restriction, Kensington Way]

Ordinance amending Traffic Code to establish a weight restriction on Kensington Way. (Department of Parking and Traffic)

File 98-0138, Ordinance No.
(Adds Section 28.1.98.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Katz, Medina - 2.

[Landmark Designation, 1701 Nineteenth Avenue]

Ordinance designating 1701 Nineteenth Avenue, the former Shriners Hospital, as Landmark No. 221 pursuant to Article 10 of the Planning Code. (Planning Department)

File 98-0209, Ordinance No.

(Planning Commission Resolution No. 14523 adopted January 8, 1998, approving the landmark designation.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Katz, Medina - 2.

[Landmark Designation, 1088 Green Street]

Ordinance designating 1088 Green Street, former Engine House No. 31, as Landmark No. 220 pursuant to Article 10 of the Planning Code. (Planning Department)

File 98-0210, Ordinance No.

(Planning Commission Resolution No. 14552 adopted January 8, 1998, approving the landmark designation.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Katz, Medina - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Marlene Tran, safety in community, police station language barrier;
Kevin Blackwell, safety, Unfinished African American Agenda;
Robin Mohr, American Red Cross presence in public housing;
Vincent Chow, revitalization of Leland Avenue businesses;
Anderson Williams, revitalization of Leland Avenue businesses;
Loretta, Muni door safety issue for small child, request trash can covers in housing development;
Kevin Robinson, support public housing security;
Winnie Tsang, public safety, lack of Asian service center;
Bill Threadgill, public safety, community policing;
Joyce Armstrong, security, community policing;
Joe Wilson, welfare reform, scholarship fund, cash assistance for newborns;
George Mo, public safety, need for bilingual service;
Jackie Sachs, school buses for kindergarten to 12th grade school children;
Mrs. Santos, supports work of Ronnie Davis;
Mr. Gregory, Hunters Point West;
Ann Seeman, Visitacion Valley parks;
Karen Hutchins, private protection agency;
Mr. Chow, public safety, lack of senior services, bilingual services;
Female speaker, public safety;
Female speaker, neighborhood program;
Kim Mitchell, invest in community;

Shirley Norton;
Male speaker, lack of bilingual senior services;
Female speaker, senior center;
Essie Smith, senior center.

A Cantonese interpreter was provided for the public comment portion of the meeting.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Teng requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Commend Carl Woo]

Resolution commending Carl Woo for his distinguished services to the Chinese American Community and congratulating Carl Woo for being named one of the ten most influential persons in the Bay Area and declaring February 20, 1998 as "Carl Woo Day". (Supervisors Teng, Bierman, Brown, Katz)

File 98-0298, Resolution No. 153-98

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Supervisor Teng, seconded by Supervisor Brown, moved an amendment of the whole entitled, "Resolution commending Carl Woo for his distinguished services to the Chinese American Community and congratulating Carl Woo for being named one of the ten most influential persons in the Bay Area and declaring February 20, 1998 as "Carl Woo Day".

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Medina - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Medina - 1.

In connection with the above item, Supervisors Bierman, Brown, Katz requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kaufman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Proclaim Varian Fry Day]

((Resolution celebrating the life of Varian Fry, a man who risked his life to save nearly 2000 prominent intellectual refugees, including many Jews, from the Nazi regime during World War II and declaring March 8, 1998 as Varian Fry Day.)) (Supervisors Kaufman, Katz, Bierman)

Resolution celebrating the life of Varian Fry, a man who risked his life to save nearly 2000 people including Jewish artists, musicians, intellectuals and political refugees from the Nazi regime during World War II and declaring March 8, 1998 as Varian Fry Day.

File 98-0300, Resolution No. 155-98

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Supervisor Kaufman, seconded by Supervisor Yaki, moved an amendment of the whole entitled, "Resolution celebrating the life of Varian Fry, a man who risked his life to save nearly 2000 people including Jewish artists, musicians, intellectuals and political refugees from the Nazi regime during World War II and declaring March 8, 1998 as Varian Fry Day."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Medina - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Medina - 1.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Newsom requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[State Legislation, AB 3037, Smoke-free Worksite]
Resolution supporting AB 3037 which amended Labor Code 6404.5 to create smoke free worksites, including bars and restaurants. (Supervisors Bierman, Brown, Katz)

File 98-0304, Resolution No. 158-98

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Supervisor Newsom Excused from Voting

Supervisor Newsom requested to be excused from voting because of possible conflict of interest.

Supervisor Teng, seconded by Supervisor Ammiano, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Medina - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Teng, Yaki, Yee - 8.

Excused: Supervisor Newsom - 1.

Absent: Supervisor Medina - 1.

In connection with the above item, Supervisors Brown, Katz requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Newsom requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Cigarette Tax]
Resolution supporting and encouraging Dianne Feinstein in her efforts to tax cigarettes and to allocate that money for improvements to our public school system. (Supervisor Newsom)

File 98-0306, Resolution No.

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Supervisor Ammiano, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Medina - 1.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Katz requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Appointment]

Resolution appointing Supervisor Leslie Katz as the voting delegate representing the City and County at the April 17, 1998, annual meeting of the General Assembly of the Association of Bay Area Governments. (Supervisors Kaufman, Bierman)

File 98-0308, Resolution No. 160-98

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Medina - 1.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Newsom requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Supporting AB 3037 and Opposing AB 297]

Resolution supporting AB 3037, which amended Labor Code 6404.5 to create smoke-free worksites, including bars and restaurants, and opposing AB 297 which would take away health protection for bar workers. (Supervisors Bierman, Brown, Katz)

File 98-0324, Resolution No. 161-98

(February 25, 1998 - Referred to Board for consideration on March 2, 1998.)

Supervisor Newsom Excused from Voting

Supervisor Newsom requested to be excused from voting because of possible conflict of interest.

Supervisor Teng, seconded by Supervisor Ammiano, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Medina - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Teng, Yaki, Yee - 8.

Excused: Supervisor Newsom - 1.

Absent: Supervisor Medina - 1.

In connection with the above item, Supervisors Brown, Katz requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Proclaim Chinatown Health Day]

Resolution commending the Caring for Asian Children Collaborative/Asian Women's Resource Center, the Chinese Community Health Education Council, NICOS Chinese Health Coalition, and Self Help for the Elderly for their effort to bring health information and services to San Francisco residents and declaring March 7, 1998 as "Chinatown Health Day". (Supervisors Teng, Bierman, Brown, Katz)

File 98-0296, Resolution No. 151-98

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz requested to be added as co-sponsors.

[Commend Chinese Progressive Association]

Resolution commending the Chinese Progressive Association for its outstanding contributions to the San Francisco Chinese American Community and congratulating the Chinese Progressive Association for its 25th Anniversary and declaring February 28, 1998 as "Chinese Progressive Association Day". (Supervisors Teng, Bierman, Brown, Katz)

File 98-0297, Resolution No. 152-98

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz requested to be added as co-sponsors.

[Commend Susheel Bibbs]

Resolution commending Susheel Bibbs for her performing and literary work depicting the life of Mary Ellen Pleasant. (Supervisors Brown, Bierman, Katz)

File 98-0299, Resolution No. 154-98

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[State Legislation, AB 2411 Red Light Violation]

Resolution supporting AB 2411 to improve the effectiveness of red light cameras by making the registered owner of a car liable for any red light violation caught on camera whether or not the driver is recognized and thanking Assemblymember Kevin Shelley for sponsoring this legislation. (Supervisors Newsom, Katz, Bierman, Teng, Ammiano, Kaufman, Brown)

File 98-0302, Resolution No. 156-98

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[State Legislation, AB 1999 Human Rights]

Resolution supporting AB 1999 which protects the human rights of transgendered persons and urging San Francisco's State elected officials and lobbyists support and lobby on behalf of this legislation. (Supervisors Ammiano, Bierman, Katz)

File 98-0303, Resolution No. 157-98

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Adopted.

[Red Light Money Allocation]

Resolution expressing a policy to allocate shares of the money from the traffic safety account set up by the Controller to track and contain revenue from the Shelley Bill (AB 1191). (Supervisors Newsom, Brown)

File 98-0305, Resolution No. 163-98

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Neighborhood Community Homeless Projects]

Resolution urging the Mayor's Office of Homelessness to develop neighborhood specific programs for its homeless population. (Supervisors Ammiano, Bierman, Brown, Katz)

File 98-0307, Resolution No. 159-98

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 98-0310, Motion No. M98-26

(February 23, 1998 - Introduced in Board for consideration on March 2, 1998.)

Adopted.

[James C. Hormel]

Resolution endorsing President Clinton's nomination of James C. Hormel to the post of ambassador to Luxembourg and urging Senate Majority Leader Trent Lott to bring his nomination to the Senate for a full vote. (Supervisors Newsom, Katz, Ammiano, Bierman, Brown, Kaufman, Medina, Teng, Yaki, Yee)

File 98-0325, Resolution No. 162-98

(February 25, 1998 - Referred to Board for consideration on March 2, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Medina - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Taxicab Fare Rate Increase]

Ordinance amending Police Code Sections 1135 and 1137 to increase the rates of fare for taxicabs and to modify the procedure for setting rates of fare. Supervisor Newsom presented. Referred to Finance Committee.

File 98-0334.

[Specialty Grocery and Retail Coffee Stores]

Ordinance amending Planning Code Section 728 to prohibit specialty grocery and retail coffee stores in the 24th Street-Noe Valley Neighborhood Commercial District and adding a new table to describe this prohibition; and adopting findings pursuant to Planning Code Section 101.1. Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 98-0335.

[Discrimination Against Women (CEDAW)]

Ordinance amending Administrative Code by adding Chapter 12K (Sec. 12K.1 through 12K.5) setting forth the local implementation of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), designating the Commission on the Status of Women as the local agency implementing and monitoring CEDAW in San Francisco, requiring the Commission on the Status of Women to conduct gender analyses of designated departments to identify areas of discrimination against women and girls, requiring the Commission on the Status of Women to develop an action plan to redress discrimination against women and girls, and establishing a CEDAW task force to assist in implementing the ordinance; companion measure to File 98-0337. Supervisor Kaufman presented. Referred to Health, Family and Environment Committee with request it be considered at the March 26, 1998 meeting.

File 98-0336.

[Commission on the Status of Women]

Ordinance amending Administrative Code Sections 33.3, 33.8, 33.4; deleting Sections 33.6, 33.7, 33.9; renumbering 33.8, 33.10 to conform to the changes in the 1996 Charter, to require departments to make quarterly rather than monthly reports, to authorize the Commission on the Status of Women to analyze and advise the Mayor and the Board of Supervisors on gender equity or commission and Board appointments, to reorganize the section to combine all employment-related powers and duties in one sub-section; to receive reports from other City departments regarding their expenditure of funds to combat violence against women, to carry out Administrative Code Section 12K implementing locally the principles of the United Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and to coordinate with other City departments and community groups to develop an integrated services plan for women and girls; companion measure to File 98-0336). Supervisor Kaufman presented. Referred to Health, Family and Environment Committee with request it be considered at the March 26, 1998 meeting.

File 98-0337.

Referred to Board

[Commend Black Coalition on AIDS, Inc.]

Resolution commending the Black Coalition on AIDS, Inc for its commitment to stopping the spread of the HIV/AIDS disease in the African American Community and for ensuring quality care and community support for African Americans who have tested positive for that virus. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar March 9, 1998.

File 98-0338.

[Proclaim Chinese Medicine Day]

Resolution declaring March 6, 1998 as "Chinese Medicine Day" in San Francisco. Supervisors Teng, Bierman, Brown, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar March 9, 1998.

File 98-0339.

[Cocaine Law Amendment]

Resolution urging Representatives Nancy Pelosi and Tom Lantos to encourage Congress to revise the cocaine laws to the extent that equal penalties would be levied for the possession of crack and powdered cocaine. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 9, 1998.

File 98-0340.

[State Legislation, AB 1837]

Resolution urging support for AB 1837 which would authorize courts to require minor children to participate in outpatient counseling if either the parent or other person involved in a custody or visitation dispute has been convicted of domestic violence. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 9, 1998.

File 98-0341.

[State Legislation, AB 1702]

Resolution urging the California State Legislature to support AB 1702, a bill providing a tax credit to employers in specified amounts for the cost paid or incurred by them for providing subsidized public transit passes to employees. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar March 9, 1998.

File 98-0342.

[State Legislation, AB 1805]

Resolution opposing California Assembly Bill 1805 which prohibits non-licensed and non-credentialed individuals from providing HIV/AIDS education, and urging that San Francisco's State elected officials and lobbyists support and lobby against this legislation. Supervisors Ammiano, Bierman, Brown, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar March 9, 1998.

File 98-0343.

Referred to Committee

[CalTrain to Airport]

Resolution supporting a direct connection of CalTrain to the San Francisco International Airport and encouraging the appropriate agencies, including the Joint Powers Board and San Francisco International Airport, to work cooperatively to establish such a direct connection. Supervisors Bierman, Brown, Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0344.

[Delivery Service to Women and Girls]

Resolution urging the establishment and implementation of a formalized council or consortium to be operated under the aegis of the Commission on the Status of Women in order to monitor and coordinate delivery of services to women and girls in the City and County of San Francisco. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 98-0345.

Referred to Board

[Monitoring Prime Contractors]

Resolution urging that relevant City departments of the City and County of San Francisco work with the Human Rights Commission to develop better systems of post-award monitoring of financial data from prime contractors in construction, architecture and engineering, professional, and purchasing industries. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar March 9, 1998.

File 98-0346.

Requests for Hearings:

[Ballot Argument]

Hearing to consider ballot argument in favor of charter amendment concerning increasing the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585. Supervisor Ammiano presented. Referred to Rules Committee.

File 285-97-002.

[Ballot Argument]

Hearing to consider ballot argument in favor of charter amendment concerning low cost environmental loans. Supervisor Kaufman presented. Referred to Rules Committee.

File 286-97-002.

[Ballot Argument]

Hearing to consider ballot argument in favor of charter amendment concerning Water Department revenue fund requirements. Supervisor Kaufman presented. Referred to Rules Committee.

File 287-97-002.

[Ballot Argument]

Hearing to consider ballot argument in favor of bond measure concerning de Young Museum. Supervisor Yaki presented. Referred to Finance Committee.

File 98-0329.

[Ballot Argument]

Hearing to consider ballot argument against initiative measure concerning City Hall. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-0330.

[Ballot Argument]

Hearing to consider ballot argument against initiative measure concerning Board of Supervisors' staff. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-0331.

[Ballot Argument]

Hearing to consider ballot argument against initiative measure concerning water and sewer rate freeze. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-0332.

[Ballot Arguments]

Hearing to consider submitting ballot arguments on ballot measures which may be submitted to the Director of Elections by March 4, 1998 for the June 2, 1998 election. Clerk of the Board. Referred to Rules Committee.

File 98-0333.

[Overtime Spending]

Hearing to address the issue of overtime spending and potential abuse within various City departments. Supervisor Teng presented. Referred to Finance Committee.

File 98-0347.

[Transportation, School-age Children]

Hearing to consider the transportation needs of school-age children. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0348.

[Customer Service Standards]

Hearing to review each City department's method of handling customer inquiries. Supervisors Yaki, Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0349.

[Public Participation]

Hearing to consider how to increase public participation in the business of the Board of Supervisors. Supervisor Yee presented. Referred to Rules Committee.

File 98-0350.

[Instant Runoff Voting]

Hearing to consider feasibility of an instant runoff voting system for local elective office. Supervisor Ammiano presented. Referred to Rules Committee.

File 98-0351.

[Cable Rate Regulation]

Hearing to consider basic and expanded cable rate regulations. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0352.

[Overtime Task Force or Commission]

Hearing to consider the options of utilizing an interdepartmental task force or creating an Overtime Commission of business executives, labor officials and auditors to oversee and monitor the current overtime epidemic, as well as make recommendations to possible measures that can reduce this budgetary strain. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-0355.

Motions:

Referred to Board

[Extend Time for Negotiations]

Motion extending time for negotiations pursuant to Charter Section 11.100 (extends date for submission of agreements to the Clerk of the Board to April 7, 1998 and date for final passage to May 2, 1998). Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 9, 1998.

File 98-0353.

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. Supervisors Kaufman, Ammiano, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar March 9, 1998.

File 98-0354.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0311. [Regulation of Lobbyists] Ordinance amending Article XIIA of the San Francisco Administrative Code by amending Sections 16.520 through 16.534 to: add legislative findings; clarify definitions and add new definitions; consolidate the definition of "Lobbyist" with the thresholds for qualifying as a lobbyist and the exemptions; increase the qualification threshold for contract lobbyists from \$1,000 per month to \$4,200 per quarter; increase the qualification threshold for expenditure lobbyists from \$1,000 per quarter to \$4,200 per quarter; clarify and add new exemptions; clarify that once a person qualifies as a "Lobbyist" the person is subject to the requirements and prohibitions of this Article until the person ceases all lobbyist activity and files a statement of termination; require that lobbyist report contacts with and payments that benefit certain designated employees as well as City officers; clarify the disclosure requirements applicable at the time of registration and at the time of filing quarterly activity reports; provide that all lobbyists re-register on January 15 of each year; require lobbyists to disclose payments received from City officers in exchange for campaign consulting services; limit the aggregate value of gifts from lobbyists to each City officer and to certain designated employees, within three months of a lobbyist contact, to \$50; prohibit lobbying on a contingency fee basis; require lobbyists to notify City officers and designated employees of the value of gifts conferred; limit political contributions by lobbyists; and add transition provisions for implementation of these amendments. (Ethics Commission) Referred to Rules Committee.

File 98-0312. [CCSF v. Karen Freeman] Ordinance authorizing settlement of litigation by the City and County of San Francisco against Karen Freeman by accepting consideration in the total amount of \$70,000 payable in cash and filing satisfaction of judgment. (Superior Court No. 989835). (Treasurer/Tax Collector) Referred to Rules Committee.

File 98-0319. [Emily Jean Landsverk, v. CCSF, et al.] Ordinance authorizing settlement of litigation of Emily Jean Landsverk against the City and County of San Francisco by payment of \$4,000,000. (Superior Court No. 985-460). (City Attorney) Referred to Rules Committee.

File 98-0320. [Appropriation, Dept of Public Health-SFGH] Ordinance appropriating \$33,000,000, Department of Public Health, in medical revenues for San Francisco General Hospital's participation in the SB 855 Disproportionate Share Payment Program for fiscal year 1997-98. RO #97198. (Controller) Referred to Finance Committee.

File 98-0321. [Appropriation, Recreation and Park Department] Ordinance appropriating \$1,450,000, Recreation and Park Department, for capital improvement projects - renovation of various soccer fields and the development of King Pool for fiscal year 1997-98. RO #97215. (Controller) Referred to Finance Committee.

File 98-0322. [Appropriation, Dept of Parking and Traffic] Ordinance appropriating and rescinding \$162,360, Department of Parking and Traffic, of Rental and Lease Funds and Work Order Funds to purchase a new citation processing system and mobile radios for fiscal year 1997-98. RO #97216. (Controller) Referred to Finance Committee.

File 98-0323. [Appropriation, Trial Courts] Ordinance appropriating \$11,390,709, Trial Courts, of Courthouse Construction Revenue Fund for professional services and debt service for fiscal year 1997-98. RO #97218. (Controller) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0288. [Stop Intersections] Resolution designating certain intersections as "STOP" intersections. DPT Order No. 1456 (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 98-0289. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1456 (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 98-0290. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1456 (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 98-0291. [Airport Concession Lease] Resolution approving the Boarding Area "F" Newsstand Lease between Del Luca Enterprises, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) Referred to Finance Committee.

File 98-0292. [Grant - Private] Resolution authorizing the City and County of San Francisco Commission on the Aging to accept and expend a private grant in the amount of \$15,000 from the Koret Foundation for the implementation of a Citywide Outreach Plan to older persons including the purchase of customized outreach support materials to be used as marketing devices for the various Senior Centrals in the various Senior Central districts. (See File 131-97-1). (Commission on the Aging) Referred to Health, Family and Environment Committee.

File 98-0314. [Gift Acceptance] Resolution authorizing the San Francisco Public Library to accept a gift from the estate of John J. Morris not to exceed the amount of \$186,801.77 for the purchase of books. (Public Library) Referred to Rules Committee.

File 98-0315. [Public Library Fine Amnesty] Resolution authorizing the San Francisco City Librarian to amnesty library fines in a manner of her choosing for a two week period designated at her discretion. (Public Library) Referred to Finance Committee.

File 98-0316. [Grant - Federal] Resolution authorizing the Department of Human Services to retroactively, accept and expend a Federal grant in the amount of \$113,616 from the U.S. Department of Housing and Urban Development for the period of September 1, 1997 through May 31, 1998, to provide six AmeriCorps participants who will provide support services for homeless families and their children at Connecting Point, the Family Housing Crisis Center, a program of compass community services, and at the Holy Family Day Home Childcare Center; and waiving indirect cost. (Department of Human Services) Referred to Housing and Neighborhood Services Committee.

File 98-0317. [Parking Rates, City-Owned Parking Facilities] Resolution approving new parking garage rates for City-owned parking facilities. (Department of Parking and Traffic) Referred to Finance Committee.

File 98-0318. [Lease of Property at 3801 Third Street] Resolution authorizing the lease of real property at 3801 Third Street, Suites 110, 220 & 230, for the Department of Human Services. (Real Estate Department) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that Budget Analyst give a comprehensive review of the current reporting requirements concerning department overtime spending. File 98-0347.

By Supervisor Teng, that the Controller suggests ways to monitor individuals who have excessive overtime earnings. File 98-0347.

By Supervisor Teng, that letters be sent to the San Francisco Fire Department, Police Department, Department of Public Health, Juvenile Probation, Sheriff Department and Water Department requesting report on how they plan on working within their overtime budget allocations in 1998-1999. File 98-0347.

By Supervisor Brown, that letter of inquiry be sent to all City departments (i.e. Mayor's Office of Community Development, Mayor's Office of Children, Youth and Their Families, Department of Public Health, etc.) who provide funding to non-profit organizations that serve the African American community requesting detailed report on funding this community at the hearing before the Health, Family and Environment Committee, March 26, 1998.

By Supervisor Brown, that letter of inquiry be sent to Chief of Police to determine what steps the San Francisco Police Department can take to ensure that vehicles, especially trucks and buses, traveling through or stored in the Hunters Point/Bayview community are in compliance with relevant codes, statutes and laws governing vehicle emissions.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Leon Medina (By the entire Board)
Hen George Lee (Supervisor Teng)
Anton Winston Spencer Baron Bakker (Supervisor Newsom)

Monday, March 2, 1998

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 8:06 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 13, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, March 9, 1998

Journal of Proceedings

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Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 9, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Barbara Kaufman, the meeting was called to order at 2:03 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Noted absent at first roll call:

Supervisors Bierman, Katz, Kaufman, Yaki - 4.

Quorum present.

Supervisor Bierman excused. (See infra.)

Supervisor Katz excused. (See infra.)

Supervisor Kaufman excused. (See infra.)

Supervisor Yaki excused. (See infra.)

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Ammiano, seconded by Supervisor Teng, moved that Supervisor Newsom be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

Supervisors Bierman, Katz, Kaufman, Yaki Excused

The Clerk stated Supervisors Bierman, Katz, Kaufman and Yaki requested to be excused from attending today's meeting.

Supervisor Teng, seconded by Supervisor Medina, moved to excuse Supervisors Bierman, Katz, Kaufman and Yaki from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Yee requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendations of Health, Family & Environment Committee

Adopted

[Children's Services Plan, 1998-1999]
Resolution approving the Children's Services Plan for the San Francisco Children's Fund in accordance with Charter Section 16.108. (Mayor Willie L. Brown, Jr.)

File 98-233, Resolution No. 171-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

The Board resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[MOU, Teamsters Local 350]

Ordinance adopting and implementing the provisions of the amendment to the Memorandum of Understanding between Teamsters, Local 350 and the City and County providing that all covered employees be placed into full retirement contribution status effective June 30, 1998 following approval of this ordinance by the Mayor. (Department of Human Resources)

File 98-0203, Ordinance No. 92-98

Finally passed.

[Appropriation, Department of Public Works]

Ordinance appropriating \$200,000, Department of Public Works, of Broadway Parking Lot Revenues to fund the local share of the cost to do County-wide Transportation Plan for fiscal year 1997-98. (Controller)

File 98-0208, Ordinance No. 95-98

(Fiscal Impact.)

Finally passed.

Passed on First Reading

[Appropriation, Mayor's Office]

Ordinance appropriating \$114,363, Mayor's Office of Citizens' Option for Public Safety (COPS) Program Revenue to fund the acquisition, installation and expansion of Video Surveillance Systems Program on MUNI vehicles for fiscal year 1997-98. (Controller)

File 98-0244, Ordinance No.

Passed on first reading.

[Appropriation, Board of Supervisors]

Ordinance appropriating and rescinding \$103,779, Board of Supervisors, from Board of Supervisors salaries for training, professional services, equipment maintenance and equipment, for fiscal year 1997-98. (Mayor Willie L. Brown, Jr.)

File 98-0256, Ordinance No.

Passed on first reading.

Adopted

[Lease Renewal, S.F. Convention/Visitors Bureau]

Resolution retroactively authorizing and approving a negotiated lease with the San Francisco Convention and Visitors Bureau, without competitive bidding, for space in the Benjamin H. Swig Pavillion, Hallidie Plaza. (Real Estate Department)

File 98-0245, Resolution No. 172-98

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Parking Regulation]

Ordinance amending the Traffic Code, regarding the towing of vehicles from yellow zones. (Department of Parking and Traffic)

File 98-0008, Ordinance No. 90-98

(Amends Section 71.B.)

Finally passed.

[Weight Restriction, Kensington Way]

Ordinance amending Traffic Code to establish weight restriction on Kensington Way. (Department of Parking and Traffic)

File 98-0138, Ordinance No. 91-98

(Adds Section 28.1.98.)

Finally passed.

[Landmark Designation, 1701 Nineteenth Avenue]

Ordinance designating 1701 Nineteenth Avenue, the former Shriners Hospital, as Landmark No. 221 pursuant to Article 10 of the Planning Code. (Planning Department)

File 98-0209, Ordinance No. 96-98

(Planning Commission Resolution No. 14523 adopted January 8, 1998, approving the landmark designation.)

Finally passed.

[Landmark Designation, 1088 Green Street]

Ordinance designating 1088 Green Street, former Engine House No. 31, as Landmark No. 220 pursuant to Article 10 of the Planning Code. (Planning Department)

File 98-0210, Ordinance No. 97-98

(Planning Commission Resolution No. 14552 adopted January 8, 1998, approving the landmark designation.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Albertina Curiel v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Albertina Curiel against the City and County by payment of \$55,000. (City Attorney)

File 98-0206, Ordinance No. 93-98

(Superior Court No. 980-526.)

Finally passed.

[William Glass v. Gregory Kazarian, CCSF, et al.]

Ordinance authorizing settlement of litigation of William Glass against Gregory Kazarian and the City and County by payment of \$69,000. (City Attorney)

File 98-0207, Ordinance No. 94-98

(Superior Court No. 972-719.)

Finally passed.

Recommendations of Health, Family & Environment Committee

Adopted

[State Child Care Contract]

Resolution authorizing retroactively the execution of a contract between the City and County and the State of California Department of Education in the amount of \$52,404 for participation by the City and County in the State's Child Care and Development Program for fiscal years 1996-1997 and 1997-1998. (Department of Human Services)

File 98-223, Resolution No. 169-98

Adopted.

[Refugee Funds for Elderly]

Resolution authorizing the President of the Private Industry Council to accept and expend \$550,000 of refugee funds for elderly refugees as described in the Revised Refugee County Plan. (Supervisors Teng, Katz)

File 98-232, Resolution No. 170-98

Adopted.

[State Funds, Clean Air]

Resolution authorizing the Director of Administrative Services to accept and expend \$286,220 from the Transportation Fund for Clean Air for alternative fuel vehicles; and authorizing the Director of Administrative Services to execute an agreement with the Bay Area Air Quality Management District whereby the City would indemnify the district from claims resulting from the City's performance of said agreement. (Supervisors Ammiano, Bierman)

File 98-276, Resolution No. 150-98

Adopted.

Recommendations of
Economic Development, Transportation & Technology Committee

Passed on First Reading

[Underground District No. 329]

Ordinance creating Underground District No. 329 in the Liberty Hill area. (Supervisor Medina)

File 98-0063, Ordinance No.

(District covering 20th Street from Church Street to Guerrero Street, Liberty Street from Church Street to Valencia Street; 21st Street from Church Street to Valencia Street, Dolores Street from 20th Street to 21st Street, Hill Street from Castro Street to Church Street; 22nd Street from Castro Street to Sanchez Street, and Noe Street from 21st Street to 22nd Street.)

Passed on first reading.

[Underground District No. 330]

Ordinance creating Underground District No. 330 in the Laidley Street area. (Supervisor Medina)

File 98-0064, Ordinance No.

(District covering Laidley Street from the northerly line of Miguel Street to the southerly line of 30th Street; Laidley Street from the southerly line of Roanoke Street to the easterly line of Castro Street; Fairmount Street from the westerly line of Whitney Street to the easterly line of Laidley Street; Surrey Street from the westerly line of Castro Street to the southerly line of Thor Avenue; and Roanoke Street from the southerly line of Bemis Street to the northerly line of Laidley Street.)

Passed on first reading.

[Underground District No. 331]

Ordinance creating Underground District No. 331 in the Texas and 19th Street area. (Supervisor Medina)

File 98-0142, Ordinance No.

(District covering Texas Street from the southerly line of 18th Street to the northerly line of 20th Street; Mississippi Street from the southerly line of 18th Street to the northerly line of 20th Street; 19th Street from the easterly line of Missouri Street to the westerly line of Pennsylvania Street; 20th Street from the easterly line of Missouri Street to the westerly line of Pennsylvania Street.)

Passed on first reading.

[Underground District No. 332]

Ordinance creating Underground District No. 332 in the Duncan and Newberg Street area. (Supervisor Medina)

File 98-0143, Ordinance No.

(District covering Duncan Street from the westerly line of Noe Street to easterly line of Douglass Street; Castro Street from the southerly line of 27th Street to dead end north of 28th Street, Newberg Street all.)

Passed on first reading.

[Underground District No. 333]

Ordinance creating Underground District No. 333 in the Shotwell and Montezuma Street area. (Supervisor Medina)

File 98-0144, Ordinance No.

(District covering Shotwell Street from the northerly line of Stoneman Street to the southerly line of Mirabel Street; Aztec Street from the westerly line of Shotwell Street to the northerly line of Coso Street, and Montezuma Street from the westerly line of Shotwell Street to the northerly line of Coso Street.)

Passed on first reading.

Adopted

[Encroachment Permit, 3rd/King Streets]

Resolution granting revocable permission to Huber, Hunt & Nichols, Inc. Construction Company to temporarily close and occupy the east sidewalk and a portion of the street area on 3rd Street, between King and Berry Streets, and the south sidewalk and a portion of the street area on King Street, between 2nd and 3rd Streets, to conduct construction operations at the Pacific Bell Park, Block 3794, Lot 28. (Department of Public Works)

File 98-0157, Resolution No. 165-98

Adopted.

[State and Federal Funds]

Resolution authorizing the Executive Director to retroactively apply for, accept, and expend up to \$5,111,500 in combined State and Federal funds for the right-of-way acquisition and construction of Cesar Chavez (Army) Street Widening Project, from Mississippi Street to Third Street, and the Bayshore Boulevard Weaving Project at Jerrold Avenue. (Department of Parking and Traffic)

File 98-0287, Resolution No. 174-98

Adopted.

Recommendations of Parks and Recreation Committee

Adopted

[Gift Acceptance, Recreation and Park Department]

Resolution accepting gifts valued at a total of \$39,370.50 from various donors for use by the Recreation and Park Department. (Recreation and Park Commission)

File 98-0103, Resolution No. 164-98

Adopted.

[Gift Acceptance, Recreation and Park Department]

Resolution accepting gifts valued at a total of \$135,055.00 from various donors for use by the Recreation and Park Department. (Recreation and Park Commission)

File 98-0163, Resolution No. 167-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Acquisition of Property, Bayview District]

Resolution authorizing acquisition of real property located in the Bayview District identified as Assessor's Block No. 5328, Lot Nos. 5 thru 9 and 17 thru 23 for \$234,375 from the Sharman Living Trust for open space purposes and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 98-0204, Resolution No. 168-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

Passed on First Reading

[Appropriation, District Attorney]

Ordinance appropriating \$292,932, District Attorney, of public protection grant funds to purchase new computer equipment, office furniture, automobiles, law books, and for facility maintenance for fiscal year 1997-98. (Controller)

File 98-0243, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

[Appropriation, Sheriff's Department]

Ordinance appropriating \$208,400, Sheriff's Department, from the General Fund Reserve for overtime and professional services to continue the Resolve to Stop the Violence Program (RSVP), for fiscal year 1997-98; companion measure to File 98-0255. (Supervisor Katz)

File 98-0254, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

[Appropriation, Sheriff's Department]

Ordinance appropriating \$275,240, Sheriff's Department, from the General Fund Reserves and Jail Overcrowding Fine Fund for the Resolve to Stop the Violence Project (RSVP), mentor court, and community residential treatment beds for fiscal year 1997-98, reserving \$55,240 pending receipt of Jail Overcrowding Fine Funds; companion measure to File 98-0254. (Mayor Willie L. Brown, Jr.)

File 98-0255, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

Recommendation of
Economic Development, Transportation & Technology Committee

Adopted

[Street Artist Selling Spaces]

Resolution designating as permanent selling spaces for street artist certified by the Art Commission, ten former temporary spaces on Beach, north side, Larkin to Polk Streets, as designated in Resolution Nos. 572-77, 887-78, 932-79 and 849-80. (Supervisor Teng)

File 98-0271, Resolution No. 173-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

Recommendations of Parks and Recreation Committee

Passed on First Reading

[Skating Advisory Committee]

Ordinance amending the Administrative Code, to establish a Skating Advisory Committee, with eleven (11) voting members appointed by the Board of Supervisors, responsible for developing a plan for skating-related improvements, reviewing policies and program related to skating in the transportation element of the General Plan of the City, and developing a plan for public outreach. (Supervisor Ammiano)

File 97-97-69, Ordinance No.

(Adds Article XXI, Section 5.210 through 5.212.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

Adopted

[Gift Acceptance, Recreation and Park Department]

Resolution accepting gifts valued at a total of \$58,100.00 from various donors for use by the Recreation and Park Department. (Recreation and Park Commission)

File 98-0162, Resolution No. 166-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of persons interested in or objecting to vacation and sale of portion of Wawona Street between 18th and 19th Avenues, Block 2478, Lot 13J, and authorizing other official actions in connection therewith.

File 98-0090

Monday, March 9, 1998

(Pursuant to Board of Supervisors Resolution No. 80-98, approved February 20, 1998.)

(Because of public notice requirement, this matter cannot be heard March 9, 1998 and must be continued for one week.)

Supervisor Teng, seconded by Supervisor Medina, moved to continue consideration to March 16, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

From Economic Development, Transportation and Technology Committee
Without Recommendation

Consideration Continued

[Vacation and Sale - Portion of Wawona Street]

Resolution ordering the vacation and sale of portion of Wawona Street between 18th and 19th Avenues, Block 2478, Lot 13J, and authorizing other official actions in connection therewith. (Real Estate Department)

File 98-0090, Resolution No.

Supervisor Teng, seconded by Supervisor Medina, moved to continue consideration to March 16, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

PUBLIC COMMENT

The President asked if there was anyone present who wished to address the Board.

There being no response, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Adopted

[Commend Black Coalition on AIDS, Inc.]

Resolution commending the Black Coalition on AIDS, Inc for its commitment to stopping the spread of the HIV/AIDS disease in the African American Community and for ensuring quality care and community support for African Americans who have tested positive for that virus. (Supervisor Brown)

File 98-0338, Resolution No. 175-98

(March 2, 1998 - Introduced in Board for consideration on March 9, 1998.)

Adopted.

[Proclaim Chinese Medicine Day]

Resolution declaring March 6, 1998 as "Chinese Medicine Day" in San Francisco. (Supervisors Teng, Bierman, Brown, Katz)

File 98-0339, Resolution No. 176-98

(March 2, 1998 - Introduced in Board for consideration on March 9, 1998.)

Adopted.

[Cocaine Law Amendment]

Resolution urging Representatives Nancy Pelosi and Tom Lantos to encourage Congress to revise the cocaine laws to the extent that equal penalties would be levied for the possession of crack and powdered cocaine. (Supervisor Newsom)

File 98-0340, Resolution No. 177-98

(March 2, 1998 - Introduced in Board for consideration on March 9, 1998.)

Adopted.

[State Legislation, AB 1837]

Resolution urging support for AB 1837 which would authorize courts to require minor children to participate in outpatient counseling if either the parent or other person involved in a custody or visitation dispute has been convicted of domestic violence. (Supervisors Newsom, Brown)

File 98-0341, Resolution No. 178-98

(March 2, 1998 - Introduced in Board for consideration on March 9, 1998.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[State Legislation, AB 1702]

Resolution urging the California State Legislature to support AB 1702, a bill providing a tax credit to employers in specified amounts for the cost paid or incurred by them for providing subsidized public transit passes to employees. (Supervisors Yaki, Brown)

File 98-0342, Resolution No. 179-98

(March 2, 1998 - Introduced in Board for consideration on March 9, 1998.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[State Legislation, AB 1805]

Resolution opposing California Assembly Bill 1805 which prohibits non-licensed and non-credentialed individuals from providing HIV/AIDS education, and urging that San Francisco's State elected officials and lobbyists oppose and lobby against this legislation. (Supervisors Ammiano, Bierman, Brown, Katz)

File 98-0343, Resolution No. 180-98

(March 2, 1998 - Introduced in Board for consideration on March 9, 1998.)

Adopted.

[Monitoring Prime Contractors]

Resolution urging that relevant City departments of the City and County work with the Human Rights Commission to develop better systems of post-award monitoring of financial data from prime contractors in construction, architecture and engineering, professional, and purchasing industries. (Supervisor Katz)

File 98-0346, Resolution No. 181-98

(March 2, 1998 - Introduced in Board for consideration on March 9, 1998.)

Adopted.

[Extend Time for Negotiations]

Motion extending time for negotiations pursuant to Charter Section 11.100 (extends date for submission of agreements to the Clerk of the Board to April 7, 1998 and date for final passage to May 2, 1998. (Supervisor Kaufman)

File 98-0353, Motion No. M98-27

(March 2, 1998 - Introduced in Board for consideration on March 9, 1998.)

Adopted.

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. (Supervisors Kaufman, Ammiano, Katz)

File 98-0354, Motion No. M98-28

(March 2, 1998 - Introduced in Board for consideration on March 9, 1998.)

Adopted.

[Commendation]

Resolution commending the Hino Motors/Sanpei News Japanese Scholarship Exchange Program as it celebrates its 30th anniversary, and proclaiming March 10, 1998 as "Japanese Exchange Day." (Supervisor Yee)

File 98-0360, Resolution No. 182-98

(March 4, 1998 - Referred to Board for consideration on March 9, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Medina, Newsom, Teng, Yee - 6.

Absent: Supervisors Bierman, Katz, Kaufman, Yaki - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Dept. of Public Works]

Ordinance appropriating \$1,307,997, Department of Public Works, from General Fund Reserve to fund new street and sidewalk cleaning initiatives (anti-litter team program) for fiscal year 1997-98; companion measure to File 98-0373. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0372.

[Salary Ordinance Amendment No. 19]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98) reflecting the creation of 37 new positions in the Department of Public Works; companion measure to File 98-0372. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0373.

[Underground District No. 339]

Ordinance creating Underground District No. 339 in the South Slope of Bernal Hill area. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0374.

[Underground District No. 338]

Ordinance creating Underground District No. 338 in the Ocean Avenue area. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0375.

[Underground District No. 340]

Ordinance creating Underground District No. 340 in the Dolores Street area. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0376.

Referred to Board

[Commend Lee On Dong Association]

Resolution commending Lee On Dong Association for their commitment to the Chinese American community and declaring March 22, 1998 as "Lee On Dong Association Day" in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 16, 1998.

File 98-0377.

[Commend Ong Ko Met Benevolent Association]

Resolution commending Ong Ko Met Benevolent Association for their commitment to the Chinese American community and declaring March 22, 1998 as "Ong Ko Met Benevolent Association Day" in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 16, 1998.

File 98-0378.

[Commend Rodel Rodis]

Resolution commending Mr. Rodel Rodis for his commitments and dedications; declaring March 31, 1998 as "Rodel Rodis Day" in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 16, 1998.

File 98-0379.

[Library Foundation]

Resolution honoring the Library Foundation for its support of the San Francisco Public Library and Bay Area authors who represent our diverse communities. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 16, 1998.

File 98-0380.

[Commend Task Force on Non-Profit Accountability]

Resolution commending the diverse Task Force on Non-profit Accountability for their deliberate efforts in creating recommendations. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar March 16, 1998.

File 98-0381.

[State Legislation, AB 1815]

Resolution supporting AB 1815 and urges the California State Assembly to pass AB 1815 to make standardized testing meaningful in measuring academic progress of all children regardless what language they speak when they start school. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 16, 1998.

File 98-0382.

[State Legislation, AB 1884]

Resolution urging the California State Assembly to add new section to the Family Code as proposed by Assembly Bill 1884 to ensure the full participation of minor children in court proceedings. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar March 16, 1998.

File 98-0383.

[Federal Legislation, HR 3206]

Resolution opposing HR 3206 or any other legislation that undoes the 1968 Civil Rights Act Title VIII, the Fair Housing Act, and its 1988 amendment. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar March 16, 1998.

File 98-0384.

[State Legislation, SB 1405]

Resolution supporting Senate Bill 1405, the Burglar Bar Safety Bill. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 16, 1998.

File 98-0385.

Referred to Committee

[Uniforms Made in San Francisco]

Resolution urging City departments to work with the City's Purchaser to have local manufacturing companies be seriously considered in the awarding and renewal of contracts for production of uniforms. Supervisor Teng presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0386.

[Hunters Point and Potrero Power Plants]

Resolution urging the San Francisco Public Utilities Commission, acting by and through its Hetch Hetchy Water and Power Department, to investigate the feasibility of acquiring and upgrading or replacing the Hunters Point and Potrero Power Plants; and to provide the Board of Supervisors with a report on the results of the investigation. Supervisors Bierman, Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0387.

[Abandoned Shopping Cart Task Force]

Resolution creating an Abandoned Shopping Cart Task Force to investigate who in the City and County of San Francisco can effectively remove abandoned shopping carts from the City's streets and reduce shopping cart theft which contributes to increasing the cost of living in the City. Such task force shall complete its work and report to the Board of Supervisors by September 14, 1998. Supervisor Brown presented. Referred to Housing and Neighborhood Services Committee.

File 98-0388.

[Street Lighting, 24th Street Corridor]

Resolution supporting the 24th Street Revitalization Committee, the San Francisco Bureau of Light, Heat and Power and the U.S. Department of Energy in their effort to improve street lighting along the 24th Street corridor. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar March 16, 1998.

File 98-0389.

[Bicycle Lanes on Valencia Street]

Resolution establishing bicycle lanes on Valencia Street on a one-year trial basis; urging the Department of Parking and Traffic to enact and rescind traffic regulations on Valencia Street in order to accommodate the bicycle lanes. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0390.

[National Historic Preservation Act Local Govt.]

Resolution authorizing the Mayor or his/her written designee to execute documents, agreements and memoranda of agreement on behalf of the City and County of San Francisco as a "Certified Local Government" under the National Historic Preservation Act, and ratifying prior acts taken by the City and County as a Certified Local Government. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0391.

[Five Year Planning Initiative Funding]

Resolution supporting the Mayor's Office of Children, Youth and Their Families' proposal to the San Francisco Foundation and the Evelyn and Walter Haas Fund for funds for a Five Year Planning Initiative. Mayor Willie L. Brown, Jr. presented. Referred to Health, Family and Environment Committee.

File 98-0392.

Requests for Hearings:

[Unfair Local Pricing of Gasoline]

Hearing to consider moratorium on Planning Department approval of permits for mini marts, automatic teller machines and fast food franchises at gas stations unless station owners obtain Board of Supervisors approval for such permits. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0393.

[Harding Golf Park, June PGA Tournament]

Hearing to consider the ramifications of using Harding Golf Park for parking during the June PGA tournament. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-0394.

[Interdepartmental Parks Safety Task Force]

Hearing to explore possibility of creating an interdepartmental parks safety task force composed of Recreation and Park, Police, Sheriff, and the District Attorney. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-0395.

[City Office Locations]

Hearing to consider the financial and social implications of making City policy to locate City offices in outlying and underserved areas when possible to do so. Supervisor Newsom presented. Referred to Finance Committee.

File 98-0396.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar March 16, 1998.

File 98-0397.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0328. [Amendment to MOU, Jail Medical Technicians] Ordinance adopting and implementing Amendment Number 1 to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County of San Francisco "Y" rating the pay of 2517 Jail Medical Technicians who receive status to the classification of 2312 LVN on or before June 30, 1998 and providing for the placement of such employees at step 5 of the 2312 LVN salary schedule effective July 1, 1998. (Department of Human Resources) Referred to Finance Committee.

File 98-0361. [Norman Doolittle, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of plaintiffs Norman Patrick Doolittle, David Andrew Gibb, Martin Stephen Hardwick against the City and County of San Francisco by payment of \$32,500 (payable as follows: \$29,500 to plaintiff Doolittle; \$1,500 to plaintiff Gibb; \$1,500 to plaintiff Hardwick). (Superior Crt No. 978634). (City Attorney) Referred to Rules Committee.

File 98-0362. [Appropriation, Department of Human Resources] Ordinance appropriating \$569,464, Department of Human Resources, from the General Fund Salary Reserve, to fund labor negotiations for fiscal year 1997-98; providing for ratification of action previously taken. RO #97213. (Controller) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0356. [Appointment, S.F. Redevelopment Agency] Resolution confirming Mayor's appointment of Ramon Enrique Romero as a member of the San Francisco Redevelopment Agency Commission. (Mayor) Referred to Rules Committee.

File 98-0358. [MUNI Service Lines 32, 42, 80X, 81X and 82X] Resolution approving abandonment of portions of service on Lines 32-Embarcadero, 42-Downtown Loop, 80X-Gateway Express, 81X-Caltrain Express and 82X-Levi Plaza and Presidio Express, and establishment of substitute service; companion measure to File 98-0359. (Public Transportation Commission) Scheduled for public hearing before Board on March 30, 1998, at 3:00 p.m.

File 98-0359. [MUNI Service Lines 32, 42, 80X, 81X and 82X] Resolution disapproving abandonment of portions of service on Lines 32-Embarcadero, 42-Downtown Loop, 80X-Gateway Express Service, 81X-Caltrain Express and 82X-Levi Plaza and Presidio Express and establishment of substitute service; companion measure to File 98-0358. (Public Transportation Commission) Scheduled for public hearing before Board on March 30, 1998, at 3:00 p.m.

File 98-0363. [Competitive Bidding Exemption] Resolution waiving competitive bid requirements for the Department of Parking and Traffic's award of master contract to the San Francisco Conservation Corps for maintenance services, landscape services, installation services, and conservation and recycling education. (Department of Parking and Traffic) Referred to Finance Committee.

File 98-0364. [Agreement, Transfer Payment from BART to MUNI] Resolution approving an agreement between the City and County of San Francisco and the Bay Area Rapid Transit District, authorizing payment to San Francisco Municipal Railway for transfer trips provided in fiscal year 1996-1997. (Public Transportation Commission) Referred to Finance Committee.

File 98-0365. [Portsmouth Square Parking Garage Lease] Resolution approving insertion into the Board's file (File No. 47-96-3), of a corrected second amendment to the Portsmouth Square Public Parking Lease between the City and County of San Francisco and the San Francisco Portsmouth Plaza Parking Corporation, which provides for quarterly rather than the annual payments of rent and strengthens the City's termination rights under the lease. (Also see File 47-96-3.1 and 49-96-1). (Recreation and Park Department) Referred to Finance Committee.

File 98-0366. [Lease of Property] Resolution authorizing the General Manager of the Recreation and Park Department to enter into a lease, without competitive bidding, with the Mission Economic Development Association, a not for profit corporation, for a portion of Mission Dolores Park bound by 18th Street, Church Street and 20th Street for use as a cafe, for a term of ten years and annual rent of One Dollar and a percentage of revenues to be used for improvements to the park; and adopting findings pursuant to Section 101.1 of the City Planning Code. (Recreation and Park Department) Referred to Finance Committee.

File 98-0367. [Parking Rate Change] Resolution implementing a 180-day trial rate for monthly parkers (Mayor's staff and Clerk of the Board of Supervisors' staff) at the Performing Arts Garage and adopting the trial rate as permanent rate. (Department of Parking and Traffic) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter be sent to Planning Department requesting research on local pricing of gasoline relative to selected areas of California to determine the level disparity in wholesale and retail pricing and apparent factors that are controlling prices.

By Supervisor Brown, that letters of inquiry be sent to Chief of Police and the District Attorney to determine what can be done to reduce or eliminate the sale of stolen shopping carts and theft of metal (from such entities as PG&E, Hunters Point Naval Shipyard, BARTD, CalTrans and others) for scrap metal in the Bayview Hunters Point community.

By Supervisor Medina, that letter be sent to Director of Public Health to inquire about the availability of organ donations to women, Latinos, African-Americans and Asian-Americans.

By Supervisor Newsom, that Budget Analyst prepare report showing each department's budgetary allocation reserved for and spent for training staff and continued educational pursuits for the last five years.

By Supervisor Newsom, that Budget Analyst, in consultation with the relevant departments, draft a study of the fiscal effect of merging the Airport Ground Transportation Unit with the Department of Weights and Measures for the purpose of producing one-stop shopping for passenger vehicle inspections taking into consideration a possible increase in the taxi fleet of 300-400 additional vehicles within the next two years.

By Supervisor Newsom, that letter be sent to each department to determine what kind, if any, substance abuse programs exist within the department.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

James Marshall Bell (Supervisor Bierman)

Unanimously adopted by a rising vote.

Monday, March 9, 1998

ADJOURNMENT

There being no further business, the Board at the hour of 3:02 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 20, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, March 16, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 16, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Kaufman, Medina, Teng, Yaki, Yee - 7.

Noted absent at first roll call:

Supervisors Bierman, Katz, Newsom - 3.

Quorum present.

Supervisor Bierman was noted present at 2:04 p.m.

Supervisor Katz was noted present at 2:04 p.m.

Supervisor Newsom excused. (See infra.)

Supervisor Newsom Excused

The Clerk stated Supervisor Newsom requested to be excused from attending today's meeting.

Supervisor Yaki, seconded by Supervisor Brown, moved to excuse Supervisor Newsom from attendance.

Motion to excuse Supervisor Newsom from attendance adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Kaufman, Medina, Teng, Yaki, Yee - 7.

Absent: Supervisors Bierman, Katz, Newsom - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Yaki, moved that the Journals of Proceedings for Monday, February 2 and February 9, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

Presentation of Guests
Suspension of the Rules
Presentation Made

Supervisor Ammiano, seconded by Supervisor Katz, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Officers Allan Duncan and Henry Seto and to Michael Gillespie.

No objection and motion carried.

Supervisor Ammiano presented commendations to Officers Allan Duncan and Henry Seto for their part in apprehension of the assailant of a recent hate crime against a member of the San Francisco's gay community and to Henry Gillespie for providing the license plate number of the suspect's car.

March 16, 1998

SPECIAL ORDER 2:00 P.M.

Recommendation of Finance Committee

Adopted

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition "A", bond measure concerning de Young Museum. (Supervisor Yaki)

File 98-0329, Motion No. M98-32

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

Recommendations of Rules Committee

Adopted as Amended

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition "B", charter amendment concerning increasing the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585. (Supervisor Ammiano)

File 285-97-2, Motion No. M98-29

Supervisor Katz, seconded by Supervisor Yaki, moved to amend ballot argument, page two, first line, after "will", by inserting "provide a cost-of-living adjustment to".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

Adopted

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition "C", charter amendment concerning Water Department revenue fund requirements. (Supervisor Kaufman)

File 287-97-2, Motion No. M98-31

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki - 8.

Noes: Supervisor Yee - 1.

Absent: Supervisor Newsom - 1.

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition "D", charter amendment concerning low cost environmental loans. (Supervisor Kaufman)

File 286-97-2, Motion No. M98-30

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Ballot Argument]

Motion authorizing opponent's ballot argument against Proposition "F", an initiative ordinance concerning City Hall. (Supervisor Kaufman)

File 98-0330, Motion No. M98-33

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Ballot Argument]

Motion authorizing opponent's ballot argument against Proposition "G", an initiative ordinance concerning Board of Supervisors' staff. (Supervisor Kaufman)

File 98-0331, Motion No. M98-34

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

(Supervisor Yee dissenting in Committee.)

[Ballot Argument]

Motion authorizing opponent's ballot argument against Proposition "H", an initiative ordinance concerning water and sewer rate freeze. (Supervisor Kaufman)

File 98-0332, Motion No. M98-35

Adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki - 7.

Noes: Supervisor Ammiano, Yee - 2.

Absent: Supervisor Newsom - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, District Attorney]

Ordinance appropriating \$292,932, District Attorney, of public protection grant funds to purchase new computer equipment, office furniture, automobiles, law books, and for facility maintenance for fiscal year 1997-98. (Controller)

File 98-0243, Ordinance No. 106-98

(Fiscal Impact.)

Finally passed.

[Appropriation, Mayor's Office]

Ordinance appropriating \$114,363, Mayor's Office of Citizens' Option for Public Safety (COPS) Program Revenue to fund the acquisition, installation and expansion of Video Surveillance Systems Program on MUNI vehicles for fiscal year 1997-98. (Controller)

File 98-0244, Ordinance No. 107-98

Finally passed.

[Appropriation, Sheriff's Department]

Ordinance appropriating \$208,400, Sheriff's Department, from the General Fund Reserve for overtime and professional services to continue the Resolve to Stop the Violence Program (RSVP), for fiscal year 1997-98; companion measure to File 98-0255. (Supervisor Katz)

File 98-0254, Ordinance No. 108-98

(Fiscal Impact.)

Finally passed.

[Appropriation, Sheriff's Department]

Ordinance appropriating \$275,240, Sheriff's Department, from the General Fund Reserves and Jail Overcrowding Fine Fund for the Resolve to Stop the Violence Project (RSVP), mentor court, and community residential treatment beds for fiscal year 1997-98, reserving \$55,240 pending receipt of Jail Overcrowding Fine Funds; companion measure to File 98-0254. (Mayor Willie L. Brown, Jr.)

File 98-0255, Ordinance No. 101-98

(Fiscal Impact.)

Finally passed.

[Appropriation, Board of Supervisors]

Ordinance appropriating and rescinding \$103,779, Board of Supervisors, from Board of Supervisors salaries for training, professional services, equipment maintenance and equipment, for fiscal year 1997-98. (Mayor Willie L. Brown, Jr.)

File 98-0256, Ordinance No. 98-98

Finally passed.

Adopted

[Lease of Property at 3801 Third Street]

Resolution authorizing the lease of real property at 3801 Third Street, Suites 110, 220 and 230, for the Department of Human Services to permit the relocation of 31 existing positions in order to be located in the Bayview community at a location that is closer to the clients in the community being served. (Real Estate Department)

File 98-0318, Resolution No. 196-98

Adopted.

Recommendations of
Economic Development, Transportation & Technology Committee

Finally Passed

[Underground District No. 329]

Ordinance creating Underground District No. 329 in the Liberty Hill area. (Supervisor Medina)

File 98-0063, Ordinance No. 100-98

(District covering 20th Street from Church Street to Guerrero Street, Liberty Street from Church Street to Valencia Street; 21st Street from Church Street to Valencia Street, Dolores Street from 20th Street to 21st Street, Hill Street from Castro Street to Church Street; 22nd Street from Castro Street to Sanchez, and Noe Street from 21st Street to 22nd Street.)

Finally passed.

[Underground District No. 330]

Ordinance creating Underground District No. 330 in the Laidley Street area. (Supervisor Medina)

File 98-0064, Ordinance No. 102-98

(District covering Laidley Street from the northerly line of Miguel Street to the southerly line of 30th Street; Laidley Street from the southerly line of Roanoke Street to the easterly line of Castro Street; Fairmount Street from the westerly line of Whitney Street to the easterly line of Laidley Street; Surrey Street from the westerly line of Castro Street to the southerly line of Thor Avenue; and Roanoke Street from the southerly line of Bemis Street to the northerly line of Laidley Street.)

Finally passed.

[Underground District No. 331]

Ordinance creating Underground District No. 331 in the Texas and 19th Street area. (Supervisor Medina)

File 98-0142, Ordinance No. 103-98

(District covering Texas Street from the southerly line of 18th Street to the northerly line of 20th Street; Mississippi Street from the southerly line of 18th Street to the northerly line of 20th Street; 19th Street from the easterly line of Missouri Street to the westerly line of Pennsylvania Street; 20th Street from the easterly line of Missouri Street to the westerly line of Pennsylvania Street.)

Finally passed.

[Underground District No. 332]

Ordinance creating Underground District No. 332 in the Duncan and Newberg Street area. (Supervisor Medina)

File 98-0143, Ordinance No. 104-98

(District covering Duncan Street from the westerly line of Noe Street to easterly line of Douglass Street; Castro Street from the southerly line of 27th Street to dead end north of 28th Street, Newberg Street all.)

Finally passed.

[Underground District No. 333]

Ordinance creating Underground District No. 333 in the Shotwell and Montezuma Street area. (Supervisor Medina)

File 98-0144, Ordinance No. 105-98

(District covering Shotwell Street from the northerly line of Stoneman Street to the southerly line of Mirabel Street; Aztec Street from the westerly line of Shotwell Street to the northerly line of Coso Street, and Montezuma Street from the westerly line of Shotwell Street to the northerly line of Coso Street.)

Finally passed.

Recommendation of Parks and Recreation Committee

Finally Passed

[Skating Advisory Committee]

Ordinance amending the Administrative Code, to establish a Skating Advisory Committee, with eleven (11) voting members appointed by the Board of Supervisors, responsible for developing a plan for skating-related improvements, reviewing policies and program related to skating in the transportation element of the General Plan of the City, and developing a plan for public outreach. (Supervisor Ammiano)

File 97-97-69, Ordinance No. 99-98

(Adds Article XXI, Section 5.210 through 5.212.)

Finally passed.

Recommendations of Rules Committee

Passed on First Reading

[Cade-Hill, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Service Employees International Union, AFL-CIO, Local 790 and Ernestine Cade-Hill and the City and County by payment of \$27,415.85. (City Attorney)

File 98-0257, Ordinance No.

(Grievance No. 65-0690.)

Passed on first reading.

[Ronald Madarang, et al., v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Ronald Madarang against the City and County by payment of \$52,250. (City Attorney)

File 98-0280, Ordinance No.

(Superior Court No. 981-749.)

Passed on first reading.

[Rhonda Collins, et al., v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Rhonda Collins against the City and County by payment of \$1,000,000. (City Attorney)

File 98-0282, Ordinance No.

(U.S. District Court No. C93-0741.)

Passed on first reading.

[Robert Pinckney, et al., v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Robert Pinckney against the City and County by payment of \$83,835. (City Attorney)

File 98-0283, Ordinance No.

(U.S. District Court No. C96-0919.)

Passed on first reading.

[CCSF v. Karen Freeman]

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Karen Freeman by accepting consideration in the total amount of \$70,000 payable in cash and filing satisfaction of judgment. (Treasurer/Tax Collector)

File 98-0312, Ordinance No.

(Superior Court No. 989835.)

Passed on first reading.

[Emily Jean Landsverk, v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Emily Jean Landsverk against the City and County by payment of \$4,000,000. (City Attorney)

File 98-0319, Ordinance No.

(Superior Court No. 985-460.)

Passed on first reading.

Adopted

[Gift Acceptance]

Resolution authorizing the Public Library to accept a gift from the estate of John J. Morris not to exceed the amount of \$186,801.77 for the purchase of books. (Public Library)

File 98-0314, Resolution No. 194-98

Adopted.

[Appointment, Redevelopment Agency]

Resolution confirming the Mayor's appointment of Ramon Enrique Romero to the San Francisco Redevelopment Agency. (Mayor)

File 98-0356, Resolution No. 188-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

March 16, 1998

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Exempt Employment]

Resolution approving the designation of the classification and rank of Q-90 Director of Police Psychology exempt from the Civil Service provisions of the Charter. (Police Department)

File 98-0006, Resolution No. 191-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

Passed on First Reading

[Appropriation, Police Department]

Ordinance appropriating and rescinding \$4,580, Police Department, for salaries for the creation of the position of Director of Police Psychology and the deletion of the position of Lieutenant III for fiscal year 1997-98; companion measure to File 98-0286. (Controller)

File 98-0285, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Salary Ordinance Amendment, Police Department]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Police Department, reflecting the creation of one new position Q90 Director of Police Psychology and the deletion of one position Q92 Lieutenant III; companion measure to File 98-0285. (Department of Human Resources)

File 98-0286, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Appropriation, Trial Courts]

Ordinance appropriating \$11,390,709, Trial Courts, of Courthouse Construction Revenue Fund for professional services and debt service for fiscal year 1997-98. (Controller)

File 98-0323, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Hotel Tax Exemption]

Ordinance amending Municipal Code, Part III, to raise the rent levels that qualify for exemption from the transient occupancy tax; this ordinance to expire July 1, 2000. (Supervisors Kaufman, Teng, Newsom)

File 98-0110, Ordinance No.

(Amends Section 506.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Management Agreement, Civic Center Plaza Garage]

Ordinance approving form of the Civic Center Plaza Garage Management Agreement and bid documents, and authorizing and urging the Director of Property to advertise an invitation for bids for management of the Civic Center Plaza Garage using the approved bid documents. (Real Estate Department)

File 98-0253, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

Adopted

[Lease of Property]

Resolution authorizing a 40-year lease of Public Utilities Commission land between the City and County and Artichoke Joes, in the City of San Bruno, San Mateo County. (Public Utilities Commission)

File 65-97-14, Resolution No. 190-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Window Bar Safety Funding]

Resolution urging the Building Inspection Commission to direct the Director of Building Inspection to identify sources of funds, including but not limited to the Code Enforcement Rehabilitation Fund, to be used to enable low income homeowners and tenants to install releasable window bars and doors in their homes. (Supervisors Newsom, Katz, Kaufman, Teng)

File 228-97-2, Resolution No. 208-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[BART/Airport Development and Easement Agreements]

Resolution approving the Airport Project Development Agreement and Easement Agreement for West Bayshore, each of which is by and between the City and County, acting by and through its Airport Commission, and Bay Area Rapid Transit System (BART).

File 98-0001, Resolution No. 183-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[BART/Airport/State Joint Use Agreement]

Resolution approving the Joint Use and Maintenance Agreement for that portion of the BART San Francisco Airport extension within the State of California Highway right of way which is by and between City and County of San Francisco, acting by and through its Airport Commission, BART, and the State of California; companion measure to File 98-0001. (Airport Commission)

File 98-0246, Resolution No. 187-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[UCSF Land Donation, CEQA Findings]

Resolution adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act and state guidelines in connection with certain documents relating to the conveyance of land to the Regents of the University of California to be developed for university purposes; companion measure to Files 98-0183 and 98-0184. (Supervisors Yaki, Teng)

File 98-0182, Resolution No. 184-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[UCSF Property Donation Conveyance]

Resolution approving and authorizing the conveyance, for no consideration, to the Regents of the University of California, of approximately 1.34 acres of present and former street areas at 16th and Sixth Streets to be developed for university purposes; adopting findings that the conveyance is consistent with the City's General Plan and eight priority policies of Planning Code Section 101.1; and ratifying prior acts; companion measure to Files 98-0182 and 98-0184. (Supervisors Yaki, Teng)

File 98-0183, Resolution No. 185-98

(Fiscal Impact.)

(NOTE: Pursuant to 15 California Code of Regulations, Section 15168(e), this item is considered to be within the scope of the Long Range Development Plan approved earlier by the Regents of the University of California. It is suggested that the Program-level Final Environmental Impact Report prepared for the Long Range Development Plan adequately describes this item for purposes of the California Environmental Quality Act.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[UCSF Donation, Public Trust Agreement]

Resolution finding and determining that the conveyance to the Regents of the University of California of certain real property located near Sixth and 16th Streets is authorized by and consistent with the provisions of Chapter 1143 of the Statutes of 1991, as amended; approving an agreement; and ratifying past acts; companion to Files 98-0182 and 98-0183. (Supervisors Yaki, Teng)

File 98-0184, Resolution No. 186-98

(Fiscal Impact.)

(NOTE: Pursuant to 15 California Code of Regulations, Section 15168(e), this item is considered to be within the scope of the Long Range Development Plan approved earlier by the Regents of the University of California. It is suggested that the Program-level Final Environmental Impact Report prepared for the Long Range Development Plan adequately describes this item for purposes of the California Environmental Quality Act.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Public Library Fine Amnesty]

Resolution authorizing the City Librarian to amnesty library fines in a manner of her choosing for a two week period designated at her discretion. (Supervisors Kaufman, Teng, Newsom)

File 98-0315, Resolution No. 195-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

Recommendations of Housing and Neighborhood Services Committee

Passed on First Reading

[Casket Stores]

Ordinance amending Planning Code defining Mortuary, to include casket stores and other retail establishments that sell or offer for sale exclusively funerary goods. (Supervisor Yee)

File 115-97-16, Ordinance No.

(Amends Sections 227, 790.62 and 890.62.)

(From Planning Department Certificate of Determination of Exemption/Exclusion from Environmental Review dated January 9, 1998. City Planning Commission Resolution No. 14357 adopted January 22, 1998, recommending the proposed amendment.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

Adopted

[Emergency Management Assistance Fund]

Resolution authorizing designated City and County officials to execute and file, on behalf of the City and County, an application for state financial assistance under the Emergency Management Assistance Program; rescinding Resolution No. 314-92. (Supervisor Medina)

File 98-0270, Resolution No. 193-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of persons interested in or objecting to vacation and sale of portion of Wawona Street between 18th and 19th Avenues, Block 2478, Lot 13J, and authorizing other official actions in connection therewith.

File 98-0090

(Pursuant to Board of Supervisors Resolution No. 80-98, approved February 20, 1998.)

(March 9, 1998 - Consideration continued to March 16, 1998.)

The President inquired if there was anyone present who wished to speak to this item.

There being no response, the President declaring the public hearing closed.

From Economic Development, Transportation and Technology Committee
Without Recommendation

Adopted

[Vacation and Sale - Portion of Wawona Street]

Resolution ordering the vacation and sale of portion of Wawona Street between 18th and 19th Avenues, Block 2478, Lot 13J, and authorizing other official actions in connection therewith. (Real Estate Department)

File 98-0090, Resolution No. 192-98

(March 9, 1998 - Consideration continued to March 16, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, lack of disabled accessibility to political endorsement sites;
Aja Monet, quality of life issues;
Frederick Hobson, support county health ombudsman program;
Jesus Gumban, civil service employment court case;
Male speaker, requesting sign interpreter or closed caption at Board meeting.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Conference with City Attorney

From the President

Tabled

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney regarding pending litigation in the case of Carpenter, et.al. vs. City and County of San Francisco, Case No. 901836MMC in the United States District Court. The closed session will be held pursuant to Government Code 54956.9(a).

Supervisor Yaki, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Adopted

[Commend Lee On Dong Association]

Resolution commending Lee On Dong Association for their commitment to the Chinese American community and declaring March 22, 1998 as "Lee On Dong Association Day" in San Francisco. (Supervisor Teng)

File 98-0377, Resolution No. 197-98

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Adopted.

[Commend Ong Ko Met Benevolent Association]

Resolution commending Ong Ko Met Benevolent Association for their commitment to the Chinese American community and declaring March 22, 1998 as "Ong Ko Met Benevolent Association Day" in San Francisco. (Supervisor Teng)

File 98-0378, Resolution No. 198-98

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Adopted.

[Commend Rodel Rodis]

Resolution commending Mr. Rodel Rodis for his commitments and dedications; declaring March 31, 1998 as "Rodel Rodis Day" in San Francisco. (Supervisors Teng, Bierman, Kaufman, Katz)

File 98-0379, Resolution No. 199-98

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Adopted.

In connection with the above item, Supervisors Kaufman, Katz requested to be added as co-sponsors.

[Library Foundation]

Resolution honoring the Library Foundation for its support of the San Francisco Public Library and Bay Area authors who represent our diverse communities. (Supervisors Teng, Bierman, Kaufman, Katz)

File 98-0380, Resolution No. 200-98

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Adopted.

In connection with the above item, Supervisors Kaufman, Katz requested to be added as co-sponsors.

[Commend Task Force on Non-Profit Accountability]

Resolution commending the diverse Task Force on Non-profit Accountability for their deliberate efforts in creating recommendations. (Supervisor Ammiano)

File 98-0381, Resolution No. 201-98

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Adopted.

[State Legislation, AB 1815]

Resolution supporting AB 1815 and urges the California State Assembly to pass AB 1815 to make standardized testing meaningful in measuring academic progress of all children regardless what language they speak when they start school. (Supervisors Teng, Bierman, Katz)

File 98-0382, Resolution No. 202-98

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[State Legislation, AB 1884]

Resolution urging California State Assembly to add new section to the Family Code as proposed by Assembly Bill 1884 to ensure the full participation of minor children in court proceedings. (Supervisors Medina, Bierman, Katz)

File 98-0383, Resolution No. 203-98

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Federal Legislation, HR 3206]

Resolution opposing HR 3206 or any other legislation that undoes the 1968 Civil Rights Act Title VIII, the Fair Housing Act, and its 1988 amendment. (Supervisors Medina, Bierman, Katz)

File 98-0384, Resolution No. 204-98

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[State Legislation, SB 1405]

Resolution supporting Senate Bill 1405, the Burglar Bar Safety Bill. (Supervisors Newsom, Katz)

File 98-0385, Resolution No. 205-98

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Street Lighting, 24th Street Corridor]

Resolution supporting the 24th Street Revitalization Committee, the San Francisco Bureau of Light, Heat and Power and the U.S. Department of Energy in their effort to improve street lighting along the 24th Street corridor. (Supervisors Medina, Katz)

File 98-0389, Resolution No. 206-98

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 98-0397, Motion No. M98-36

(March 9, 1998 - Introduced in Board for consideration on March 16, 1998.)

Adopted.

[Final Map]

Motion approving final map of 5810-5816-5818 Mission Street, a Condominium and Residential Condominium Project, being a subdivision of Lot 35 in Assessor's Block No. 7143, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0398, Motion No. M98-37

(March 9, 1998 - Referred to Board for consideration on March 16, 1998.)

Adopted.

[Final Map]

Motion approving final map of The Arundel, 1438 Green Street, a Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 547, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0400, Motion No. M98-38

(March 10, 1998 - Referred to Board for consideration on March 16, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Medina, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

March 16, 1998

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Brown Act Finding]

Motion that the Board finds by roll call that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Medina, seconded by Supervisor Yaki, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

[Imperative Resolution]

Adopted

[Commendation]

Resolution commending the joint efforts (Allan Duncan, Henry Seto, Michael Gillespie) that have resulted in the apprehension of the assailant of a hate crime against a member of San Francisco's gay community.

File 98-0426, Resolution No. 207-98

Supervisor Ammiano presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Teng, Yaki, Yee - 9.

Absent: Supervisor Newsom - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Mayor's Office]

Ordinance appropriating \$20,120,317, Mayor's Office, of Bond proceeds and interest income for the cost of implementation of Affordable Housing and Home Ownership Program for fiscal year 1997-98. RO #97221. Supervisor Brown presented. Referred to Finance Committee.

File 98-0421.

[Membership List, Retirement System]

Ordinance amending Administrative Code Section 16.6-29 to add certain organizations to the membership list of the Employees Retirement System. Supervisor Yaki presented. Referred to Finance Committee.

File 98-0422.

[Settlement of Litigation, Carpenter v. CCSF]

Ordinance authorizing settlement of litigation entitled Carpenter v. City and County of San Francisco, in accordance with the settlement agreement on file with the Clerk of the Board, including the payment of \$572,815.46 in attorney's fees and costs. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the March 25, 1998 meeting.

File 98-0423.

[Underground District No. 336]

Ordinance creating Underground District No. 336 in the Flint and 16th Street area. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0424.

[Underground District No. 337]

Ordinance creating Underground District No. 337 in the Potomac/Waller area. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0425.

Referred to Board

[Commend Southeast Asian Community Center]

Resolution commending the Southeast Asian Community Center for its commitment, dedication and leadership in serving the Southeast Asian community. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 23, 1998.

File 98-0427.

[State Legislation, SB 1404, Firearms]

Resolution urging the City and County of San Francisco support SB 1404, requiring that any firearm possessed in a school zone be confiscated and destroyed. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar March 23, 1998.

File 98-0428.

[Eating Fresh Food]

Resolution urging the Department of Fish and Game to enforce the existing laws to prohibit release of non-native animals that cause environmental damage and urging the California State Fish and Game Commission not to support the proposed ban of importation of live turtles and frogs and urging the Governor of California to oppose the proposed ban. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 23, 1998.

File 98-0429.

Referred to Committee

[Treasure Island Development Authority]

Resolution directing the Treasure Island Development Authority to adopt certain competitive bidding, competitive negotiation and conflict of interest rules; subjecting the appointment of certain members of the Authority to approval and confirmation by the Board of Supervisors; requiring that all contracts in excess of 10 years or one million dollars in revenue be approved by the board of Supervisors; prohibiting gambling on Treasure Island in the event the State Constitution is amended; requiring development on Treasure Island to comply with applicable City zoning and land use laws, subjecting the Authority to the City's Sunshine Ordinance; subjecting proposed contracts by the Authority to the City's non-discrimination and equal benefits ordinance; and acknowledging the applicability of the Tidelands Trust to former tide and submerged lands. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0430.

Referred to Board

[Whistle Blower Safety Program]

Resolution urging the Community United Against Violence (CUAV) to re-implement the Whistle Blower program. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar March 23, 1998.

File 98-0431.

Referred to Committee

[Recreation and Park Department Oversight]

Resolution recommending that the Board of Supervisors maintain ongoing oversight of the Recreation and Park Department's progress in implementing the Department of Public Health's recommendations for compliance with the 1992 comprehensive Lead Poisoning Prevention Ordinance. Supervisor Bierman presented. Referred to Parks and Recreation Committee.

File 98-0432.

[Advisory Dogs Off-Leash Task Force]

Resolution creating an Advisory Dogs Off-Leash Task Force to recommend an effective off-leash policy which will enable the City and County of San Francisco to increase the number of dogs off-leash areas in neighborhood parks while equitably balancing that need against the needs of other park users and park resources, to recommend alternative ways to creatively finance the costs associated with increasing the number of dogs off-leash areas in neighborhood parks and to recommend how the City can effectively and fairly enforce its laws and regulations pertaining to dogs. Supervisors Brown, Bierman presented. Referred to Parks and Recreation Committee.

File 98-0433.

Referred to Board

[California Housing Rehabilitation Program-Rental]

Resolution supporting the \$15 million state funding proposal for the California Housing Rehabilitation Program-Rental (CHRP-R). Supervisors Brown, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar March 23, 1998.

File 98-0434.

[Ombudsprogram, Health care Consumers]

Resolution supporting the concept of a City and County ombudsprogram to advocate for health care consumers. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar March 23, 1998.

File 98-0435.

[State Legislation, AB 1850]

Resolution supporting Assembly Bill 1850 which would reinstate driving privileges to persons participating in the CalWORKS program or who is a recipient of aid under the Temporary Assistance for Needy Families program; provide safety training; waive fee or penalty. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar March 23, 1998.

File 98-0443.

Requests for Hearings:

[Muni Driver Safety]

Hearing to consider the personnel and safety procedures for Municipal Railway drivers involved in serious accidents. Supervisors Yaki, Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0436.

[CalTrans Projects]

Hearing to consider CalTrans plans, timelines, and status of various projects throughout the City including the Bayshore Viaduct, Marina Boulevard Rehabilitation, Bay Bridge Western Span and Yerba Buena Island Tunnel Retrofit Projects. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0437.

[Rite Aid in North Beach]

Hearing to consider the planning process which has occurred in relation to the Rite Aide proposal to locate in North Beach at the former Pagoda Theater site and why no conditional use permit is required. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 98-0439.

[Demolition, Construction, Site Inspections] Hearing to consider the scope of illegal demolition and construction activity without proper permits in City neighborhoods, how such activity evades Planning Commission review and enforcement of the City's planning and building codes and the Department of Building Inspection's current site inspection program to mitigate such activity. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0438.

[Medicinal Marijuana Implementation]

Hearing to follow up on the legal aspects of the implementation of Proposition 215, Compassionate Use of Medicinal Marijuana. Supervisors Ammiano, Bierman presented. Referred to Health, Family and Environment Committee.

File 98-0440.

[TCI Service]

Hearing to consider the status of TCI's efforts to extend service and expand band width in the City of San Francisco. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0441.

Motions:

Referred to Committee

[Rebuttal Argument, Proposition B]

Motion authorizing rebuttal to opponent's ballot argument against Proposition B, charter amendment concerning increasing the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585. Supervisor Ammiano presented. Referred to Rules Committee.

File 285-97-003.

[Rebuttal Argument, Proposition D]

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, charter amendment concerning low cost environmental loans. Supervisor Kaufman presented. Referred to Rules Committee.

File 286-97-003.

[Rebuttal Argument, Proposition C]

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, charter amendment concerning Water Department revenue fund requirements. Supervisor Kaufman presented. Referred to Rules Committee.

File 287-97-003.

[Rebuttal Argument, Proposition A]

Motion authorizing rebuttal to opponent's ballot argument against Proposition A, bond measure concerning de Young Museum. Supervisor Yaki presented. Referred to Rules Committee.

File 98-0415.

[Rebuttal Argument, Proposition F]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition F, an initiative measure concerning City Hall. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-0416.

[Rebuttal Argument, Proposition G]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition G, an initiative measure concerning Board of Supervisors' staff. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-0417.

[Rebuttal Argument, Proposition H]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition H, an initiative measure concerning water and sewer rate freeze. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-0418.

[Board Off Site Meeting, May 26, 1998]

Motion ordering the May 26, 1998 meeting of the Board of Supervisors be held at the Southeast Community Facility, 1800 Oakdale Avenue, Community Room in the Bayview Hunters Point neighborhood of San Francisco at 5:00 p.m. Supervisors Teng, Brown, Bierman presented. Referred to Rules Committee.

File 98-0442.

Referred to Board

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 Winter Storms. Supervisors Kaufman, Ammiano, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar March 23, 1998.

File 98-0444.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0405. [Vacation and Lease - Cohen Place] Ordinance ordering the vacation of Cohen Place off Ellis Street between Leavenworth and Hyde Streets subject to a specified reservation, authorizing the lease of such property on a year-to-year basis for annual rent of \$1.00, and without competitive bidding to the 509 Cultural Center and authorizing other official actions in connection therewith; companion measure to File 98-0406. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0407. [Appropriation, Airport Commission] Ordinance appropriating \$37,990,313, Airport Commission, for various capital improvement projects (related to the Master Plan and the development of Airport infrastructure), for fiscal year 1997-98. RO #97222. (Controller) Referred to Finance Committee.

File 98-0408. [Appropriation, Port Commission] Ordinance appropriating \$1,501,492, Port Commission, of San Francisco Harbor Operating Fund balance to fund the costs of various capital improvement projects (Fisherman's Wharf Plaza, landfill closure, wetland restoration, gas structure relocation, Pier 45 apron repair), for fiscal year 1997-98. RO #97223. (Controller) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0371. [CalWORKs Child Care Program] Resolution authorizing the consolidation of various streams of child care funding by modification of the existing contract with the Children's Council of San Francisco, a California corporation, to add to said contract the funds and services from these other sources. (Department of Human Services) Referred to Health, Family and Environment Committee.

File 98-0401. [Revocable Permit, 1000 Van Ness/901 Polk Street] Resolution granting revocable permission to DPR Construction, Inc. for nine-month extension to temporarily close and occupy the west sidewalk and a portion of the street area on Polk Street and the south sidewalk and a portion of the street area on Myrtle Street for construction operations at 1000 Van Ness Avenue/901 Polk Street (Block 715, Lots 2 and 5). (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 98-0402. [Contract, DPH - Regents of UCSF] Resolution authorizing the Department of Public Health, Public Health Division, to enter into a subcontract in the amount of \$140,156 with the Regents of the University of California, the primary contractor, to provide support personnel for the HIV Postexposure Prophylaxis Project (PEP); retroactive to December 1, 1997. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0403. [Contract, DPH - State Dept. of Mental Health] Resolution authorizing the Department of Public Health, Public Health Division, Community Mental Health Services, to enter into the fiscal year 1997-98 performance contract with the State Department of Mental Health, which includes indemnification clauses and does not include patent infringement indemnification and false claims clauses. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0406. [Vacation and Lease - Cohen Place] Resolution declaring intention of the Board of Supervisors to vacate Cohen Place off Ellis Street between Leavenworth and Hyde Streets subject to specified reservation, setting the hearing date for all persons interested in the proposed vacation, making findings of General Plan conformance and consistency with Planning Code Section 101.1 and authorizing other official actions in connection therewith; companion measure to File 98-0405. Mayor Willie L. Brown, Jr. presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0409. [Property Acquisition, Golden Gate Heights District] Resolution authorizing acquisition of real property located in the Golden Gate Heights District identified as Assessor's Block No. 1860A Lot Nos. 20 and 21, and Assessor's Block No. 1861A Lot No. 2 for \$200,000 from Mark L. Pierce for open space purposes and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department) Referred to Finance Committee.

File 98-0410. [Lease of Property, 450 Seventh Street] Resolution authorizing a revocable license agreement for 450 Seventh Street for the Police Department; subject to certain conditions. (Real Estate Department) Referred to Housing and Neighborhood Services Committee.

File 98-0411. [Airport Concession Agreements, Car Rental] Resolution approving concession agreements for rental car operations between Hertz Corporation, Avis Rent-A-Car System, Alamo Rent-A-Car, National Car Rental, Budget Rent-A-Car, Dollar Systems, Thrifty Car Rental and Enterprise Rent-A-Car; and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission) Referred to Finance Committee.

File 98-0412. [Prop J Contract, Clean Water Security Services] Resolution concurring with the Controller's Certification that security services can be practically performed at the Southeast Community Service Facility, the Southeast Water Pollution Control Plant, the Earl P. Mills Center, and for as needed services by private contractor for lower cost than similar work services performed by City and County employees. (Public Utilities Commission) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Teng, that letter be sent to the San Francisco Housing Authority requesting progress report by April 15, 1998, on the Board of Supervisors recommendations delineated in Resolution 15-98 urging the Housing Authority to implement the recommendations from the Vietnamese Coalition for Civil Rights, conduct training on changing demographics of clients they serve, hold joint hearing with the Human Rights Commission and report findings to the Board of Supervisors.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Brian Wilmes (By the entire Board)
Rotea Gilford (By the entire Board)
Antonio Chong (Supervisor Kaufman)
Frank Wong (Supervisor Yaki)
Rev. Charlie Cook (Supervisor Brown)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:16 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 20, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, March 23, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 23, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Newsom, moved that the Journal of Proceedings for Tuesday, February 17, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Presentation of Guests
Suspension of the Rules

Supervisor Bierman introduced and welcomed Dr. Neil Cherry, senior lecturer, Lincoln University at Christchurch, New Zealand and an elected Regional Councillor. Dr. Cherry has been in San Francisco to present his study on the potential health effects of cellular phone antennas at a conference entitled, "Antenna-Free Zones, Protecting Your Family and Neighborhood from Cellular Phone and other Microwave Antennas."

Supervisor Bierman, seconded by Supervisor Medina, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Dr. Cherry.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Dr. Cherry thanked the Board of Supervisors for its hospitality and the opportunity to speak.

COMMUNICATION

The Clerk presented the following communication dated March 23, 1998 to the Honorable Members, Board of Supervisors, indicating his intention of leaving the position as Clerk of the Board, and asked that the Board of Supervisors consider the following motion to begin the search process for a successor. (The complete text of the letter is contained in File 98-0476.)

Referred to Board

[Clerk of the Board]

Motion establishing a process to hire a Clerk of the Board of Supervisors to replace John Taylor who plans to leave the position this year.

File 98-0476.

Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

Monday, March 23, 1998

SPECIAL ORDER 2:00 P.M.

COMMITTEE REPORTS

Recommendations of Rules Committee

Adopted

[Rebuttal Argument, Proposition A]

Motion authorizing rebuttal to opponent's ballot argument against Proposition A, bond measure concerning de Young Museum. (Supervisor Yaki)

File 98-0415, Motion No. M98-42

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Rebuttal Argument, Proposition B]

Motion authorizing rebuttal to opponent's ballot argument against Proposition B, charter amendment concerning increasing the salary of members of the Board of Supervisors from \$23,924 per year to \$37,585. (Supervisor Ammiano)

File 285-97-3, Motion No. M98-39

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted as Amended

[Rebuttal Argument, Proposition C]

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, charter amendment concerning Water Department revenue fund requirements. (Supervisor Kaufman)

File 287-97-3, Motion No. 98-41

Supervisor Yaki, seconded by Supervisor Katz, moved an amendment of the whole to rebuttal argument.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Rebuttal Argument, Proposition D]

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, charter amendment concerning low cost environmental loans. (Supervisor Kaufman)

File 286-97-3, Motion No. 98-40

Supervisor Yaki, seconded by Supervisor Katz, moved an amendment of the whole to rebuttal argument.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted

[Rebuttal Argument, Proposition F]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition F, an initiative measure concerning City Hall. (Supervisor Kaufman)

File 98-0416, Motion No. 98-43

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Rebuttal Argument, Proposition G]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition G, an initiative measure concerning Board of Supervisors' staff. (Supervisor Kaufman)

File 98-0417, Motion No. M98-44

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Rebuttal Argument, Proposition H]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition H, an initiative measure concerning water and sewer rate freeze. (Supervisor Kaufman)

File 98-0418, Motion No. M98-45

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Noes: Supervisors Ammiano, Yee - 2.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Police Department]

Ordinance appropriating and rescinding \$4,580, Police Department, for salaries for the creation of the position of Director of Police Psychology and the deletion of the position of Lieutenant III for fiscal year 1997-98; companion measure to File 98-0286. (Controller)

File 98-0285, Ordinance No. 119-98

Finally passed.

[Salary Ordinance Amendment, Police Department]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Police Department, reflecting the creation of one new position Q90 Director of Police Psychology and the deletion of one position Q92 Lieutenant III; companion measure to File 98-0285. (Department of Human Resources)

File 98-0286, Ordinance No. 120-98

Finally passed.

[Appropriation, Trial Courts]

Ordinance appropriating \$11,390,709, Trial Courts, of Courthouse Construction Revenue Fund for professional services and debt service for fiscal year 1997-98. (Controller)

File 98-0323, Ordinance No. 123-98

Finally passed.

[Hotel Tax Exemption]

Ordinance amending Municipal Code, Part III, to raise the rent levels that qualify for exemption from the transient occupancy tax; this ordinance to expire July 1, 2000. (Supervisors Kaufman, Teng, Newsom)

File 98-0110, Ordinance No. 113-98

(Amends Section 506.)

Finally passed.

[Management Agreement, Civic Center Plaza Garage]

Ordinance approving form of the Civic Center Plaza Garage Management Agreement and bid documents, and authorizing and urging the Director of Property to advertise an invitation for bids for management of the Civic Center Plaza Garage using the approved bid documents. (Real Estate Department)

File 98-0253, Ordinance No. 114-98

Finally passed.

Adopted

[Airport Concession Lease]

Resolution approving the Boarding Area "F" Newsstand Lease between DeI Duca Enterprises, Inc. and the City and County, acting by and through its Airport Commission. (Airport Commission)

File 98-0291, Resolution No. 209-98

Adopted.

Recommendations of Economic Development, Transportation
and Technology Committee

Passed on First Reading

[Underground District No. 339]

Ordinance creating Underground District No. 339 in the South Slope of Bernal Heights area. (Supervisor Medina)

File 98-0374, Ordinance No.

Passed on first reading.

[Underground District No. 338]

Ordinance creating Underground District No. 338 in the Ocean Avenue area. (Supervisor Medina)

File 98-0375, Ordinance No.

Passed on first reading.

[Underground District No. 340]

Ordinance creating Underground District No. 340 in the Dolores Street area. (Supervisor Medina)

File 98-0376, Ordinance No.

Passed on first reading.

Recommendation of Health, Family and Environment Committee

Adopted

[Grant - Private Funds]

Resolution authorizing the Commission on the Aging to retroactively accept, and expend a private grant in the amount of \$15,000 from the Koret Foundation for the implementation of a Citywide Outreach Plan to older persons including the purchase of customized outreach support materials to be used as marketing devices for the various senior centrals in the various Senior Central districts. (Commission on the Aging)

File 98-0292, Resolution No. 210-98

Adopted.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

[Casket Stores]

Ordinance amending Planning Code defining Mortuary, to include casket stores and other retail establishments that sell or offer for sale exclusively funerary goods. (Supervisor Yee)

File 115-97-16, Ordinance No. 112-98

(Amends Sections 227, 790.62 and 890.62.)

(From Planning Department Certificate of Determination of Exemption/Exclusion from Environmental Review dated January 9, 1998. City Planning Commission Resolution No. 14357 adopted January 22, 1998, recommending the proposed amendment.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Cade-Hill, et al. v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Service Employees International Union, AFL-CIO, Local 790 and Ernestine Cade-Hill and the City and County by payment of \$27,415.85. (City Attorney)

File 98-0257, Ordinance No. 115-98

(Grievance No. 65-0690.)

Finally passed.

[Ronald Madarang, et al., v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Ronald Madarang against the City and County by payment of \$52,250. (City Attorney)

File 98-0280, Ordinance No. 116-98

(Superior Court No. 981-749.)

Finally passed.

[Rhonda Collins, et al., v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Rhonda Collins against the City and County by payment of \$1,000,000. (City Attorney)

File 98-0282, Ordinance No. 117-98

(U.S. District Court No. C93-0741.)

Finally passed.

[Robert Pinckney, et al., v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Robert Pinckney against the City and County by payment of \$83,835. (City Attorney)

File 98-0283, Ordinance No. 118-98

(U.S. District Court No. C96-0919.)

Finally passed.

[CCSF v. Karen Freeman]
Ordinance authorizing settlement of litigation by the City and County of San Francisco against Karen Freeman by accepting consideration in the total amount of \$70,000 payable in cash and filing satisfaction of judgment. (Treasurer/Tax Collector)

File 98-0312, Ordinance No. 121-98

(Superior Court No. 989-835.)

Finally passed.

[Emily Jean Landsverk, v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Emily Jean Landsverk against the City and County by payment of \$4,000,000. (City Attorney)

File 98-0319, Ordinance No. 122-98

(Superior Court No. 985-460.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Appropriation, Department of Public Health - SFGH]

Ordinance appropriating \$33,000,000, Department of Public Health, in medical revenues for San Francisco General Hospital's participation in the SB 855 Disproportionate Share Payment Program for fiscal year 1997-98. (Controller)

File 98-0320, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Appropriation, Recreation and Park Department]

Ordinance appropriating \$1,450,000, Recreation and Park Department, for capital improvement projects - renovation of various soccer fields and the development of King Pool for fiscal year 1997-98. (Controller)

File 98-0321, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Economic Development, Transportation
and Technology Committee

Passed on First Reading

[Street Flower Market]

Ordinance amending Public Works Code to add to the Market Street Flower Market the location on the east sidewalk of Montgomery Street, at Market Street, within 50 feet south of the north property line of Post Street. (Supervisor Kaufman)

File 98-0293, Ordinance No.

(Amends Section 155.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

The President resumed the Chair.

Adopted as Amended

[Hunters Point and Potrero Power Plants]

Resolution urging the Public Utilities Commission, acting by and through its Hetch Hetchy Water and Power Department, to investigate the feasibility of acquiring and upgrading or replacing the Hunters Point and Potrero Power Plants; and to provide the Board of Supervisors with a report on the results of the investigation. (Supervisors Bierman, Ammiano, Yaki, Katz, Medina)

File 98-0387, Resolution No. 211-98

Supervisor Bierman, seconded by Supervisor Katz, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

Adopted

[Vacation and Lease - Cohen Place]

Resolution declaring intention of the Board of Supervisors to vacate Cohen Place off Ellis Street between Leavenworth and Hyde Streets subject to a specified reservation, setting the hearing date of April 13, 1998 at 3:00 p.m. for all persons interested in the proposed vacation, making findings of General Plan conformance and consistency with Planning Code Section 101.1 and authorizing other official actions in connection therewith. (Mayor Willie L. Brown, Jr.)

File 98-0406, Resolution No. 189-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, lack of accessibility to disabled at political meetings;

Reuben Goodman, mental health programs for youth;

Speakers concerning Municipal Railway crisis: Carmen Ramirez, Jim, Simone, Jessie;

Norman Rolfe, Municipal Railway bus terminal relocation land lease;

John Rudolph, Market Street closure to vehicles;

Support resolution opposing Ward Valley radioactive waste dump;

Bill Claskey, Andre Tamara, Judy Brady, Frederick, Sally Bingham, Rebecca Heller, female speaker, Kurt Bailer, Bradley Angle, Mr. Hernando, Mr. Garcia, Claire Gainsfellow, male speaker, Glen Packer, male speaker, Sarah Seeds, Dr. Robert Gould, Eric, Susan Standsberry, Dr. Nelson, male speaker, male speaker.

Support ban on importation of live frogs and turtles:

Nancy, Eric, Annie Lancaster, Patricia Briggs, Virginia Hanley Andrew St. Highfield.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Temporary Committee Assignment

President Barbara Kaufman appointed Supervisor Sue Bierman to the Economic Development, Transportation and Technology Committee for purposes of maintaining a quorum at the March 17, 1998 meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Brown requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[State Legislation, AB 1850]

Resolution supporting Assembly Bill 1850 which would reinstate driving privileges to persons participating in the CalWORKS program or who is a recipient of aid under the Temporary Assistance for Needy Families program; provide safety training; waive fee or penalty. (Supervisors Brown, Bierman, Katz)

File 98-0443, Resolution No. 218-98

(March 16, 1998 - Introduced in Board for consideration on March 23, 1998.)

Supervisor Brown, seconded by Supervisor Yaki, moved an amendment of the whole entitled, "Resolution supporting Assembly Bill 1850 with amendments to allow the Department of Motor Vehicles to provide restricted driver's license (to persons participating in the CalWORKS programs)."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Southeast Asian Community Center]

Resolution commending the Southeast Asian Community Center for its commitment, dedication and leadership in serving the Southeast Asian community. (Supervisors Teng, Kaufman, Katz)

File 98-0427, Resolution No. 212-98

(March 16, 1998 - Introduced in Board for consideration on March 23, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[State Legislation, SB 1404, Firearms]

Resolution urging the City and County to support SB 1404, requiring that any firearm possessed in a school zone be confiscated and destroyed. (Supervisors Katz, Bierman)

File 98-0428, Resolution No. 213-98

(March 16, 1998 - Introduced in Board for consideration on March 23, 1998.)

Adopted.

[Eating Fresh Food]

Resolution urging the Department of Fish and Game to enforce the existing laws to prohibit release of non-native animals that cause environmental damage and urging the California State Fish and Game Commission not to support the proposed ban of importation of live turtles and frogs and urging the Governor of California to oppose the proposed ban. (Supervisor Teng)

File 98-0429, Resolution No. 214-98

(March 16, 1998 - Introduced in Board for consideration on March 23, 1998.)

Adopted.

[Whistle Blower Safety Program]

Resolution urging the Community United Against Violence (CUAV) to re-implement the Whistle Blower program. (Supervisors Ammiano, Bierman, Katz)

File 98-0431, Resolution No. 215-98

(March 16, 1998 - Introduced in Board for consideration on March 23, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[California Housing Rehabilitation Program-Rental]
Resolution supporting the \$15 million state funding proposal for the California Housing Rehabilitation Program-Rental (CHRP-R). (Supervisors Brown, Bierman)

File 98-0434, Resolution No. 216-98

(March 16, 1998 - Introduced in Board for consideration on March 23, 1998.)

Adopted.

[Ombudsprogram, Health care Consumers]
Resolution supporting the concept of a City and County ombudsprogram to advocate for health care consumers. (Supervisor Brown)

File 98-0435, Resolution No. 217-98

(March 16, 1998 - Introduced in Board for consideration on March 23, 1998.)

Adopted.

[Winter Storms 1998 Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 Winter Storms. (Supervisors Kaufman, Ammiano, Katz)

File 98-0444, Resolution No. M98-46

(March 16, 1998 - Introduced in Board for consideration on March 23, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolutions being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Brown Act Finding]
Motion that the Board finds by roll call that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Imperative Resolutions]

Adopted

[Commend Corpus Christi Parish]

Resolution commending Corpus Christi Parish for 100 years of service and commitment to the citizens in the Excelsior District of San Francisco.

File 98-0451, Resolution No. 219-98

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Wong Kim Ark Day]

Resolution recognizing the Centennial Anniversary of the United States v. Wong Kim Ark case for its profound impact on the U.S. Constitution; to this historic and important development in constitutional law; and proclaiming March 28, 1998 as "Wong Kim Ark Day."

File 98-0452, Resolution No. 220-98

Supervisor Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Specialty Grocery and Retail Coffee Stores]

Substitute ordinance amending Planning Code Section 728 to prohibit specialty grocery and retail coffee stores and accessory take-out food service use associated with these stores in the 24th Street-Noe Valley Neighborhood Commercial District, adding a new table to describe this prohibition and amending Section 703.2 to cross-reference the prohibition on accessory take-out food service use; and adopting findings pursuant to Planning Code Section 101.1. Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 98-0335.

[Landmarks and Historic Districts]

Ordinance amending Planning Code Section 1010, Property Owned by Public Agencies, to exempt Golden Gate Bridge Highway and Transportation District from the requirements of Section 1010. Supervisor Kaufman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0448.

[Historic Sign District]

Ordinance amending Planning Code by amending Sections 260(b), 262, 604, 607 and adding Sections 602.9 and 608.14 to exempt permitted historic signs from height limits, to clarify that permitted historic signs are exempt from the height limits for signs, to define an historic sign and an historic sign district, to allow text and graphic amendments to restore and improve historic signs, to permit historic signs to extend above a roof line, to establish an historic sign district and the criteria and conditions for permitting, by conditional use authorization by the Planning Commission, signs qualifying for such designation. Supervisor Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 98-0449.

[Design-Build/Finance Contracting Procedures]

Ordinance amending Administrative Code by adding Section 6.09 authorizing the directors of departments who enter into construction contracts to seek proposals from private entities for design-build construction and/or financing of public works projects where necessary or appropriate to achieve cost savings or time efficiencies, or both, provided the final agreement shall be subject to approval of the Board of Supervisors. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0450.

Referred to Board

[Commend Delta Sigma Theta, Inc.]

Resolution commending the San Francisco Alumnae Chapter of Delta Sigma Theta, Inc. on its 50th Anniversary working in working with and for the greater San Francisco City and County community. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0453.

[Commend Cecilia Metz]

Resolution commending Cecilia Metz for her hard work, dedication and years of service on behalf of the Golden Gate Restaurant Association and its members. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0454.

[Commend Mrs. Thelma Shelley]

Resolution commending Mrs. Thelma Shelley, departing Managing Director of the San Francisco War Memorial and Performing Arts Center, for twenty years of service to the City and County of San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0455.

[Earth Day]

Resolution urging his Honor, Mayor Willie L. Brown, Jr. and the City and County of San Francisco to officially recognize Earth Day, April 22, 1998, by holding an official celebration of this event at the Green Room in City Hall. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0456.

[Commend Sacred Heart Cathedral Girls Team]

Resolution commending Sacred Heart Cathedral Girls Basketball Team for winning the California Division III State Championship title. Supervisors Newsom, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0457.

["Baby Brigade Day"]

Resolution welcoming back the Baby Brigade on April 22, and declaring April 22, 1998 as "Baby Brigade Day" in San Francisco. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0458.

[Pacific Bell Pioneer Week]

Resolution commending Pacific Bell volunteers for their invaluable efforts to promote volunteerism throughout the country and declaring April 19-25, 1998 as Pacific Bell Pioneer Week in San Francisco. Supervisors Yaki, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0459.

[Oppose Proposition 226]

Resolution opposing Proposition 226, an initiative regarding political contributions by employees, union members, and foreign entities. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0460.

[State Legislation, AB 1999]

Resolution urging representatives from the California State Legislature to amend California Penal Code Section 190(a) 16, to include all classes of persons and to support AB 1999 which will incorporate crimes against gender into the California Hate Crimes Act. Supervisors Newsom, Katz, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0461.

Referred to Committee

[Permits for Club VSF]

Resolution supporting hearings by the California Department of Alcohol and Beverage Control and the San Francisco Police Department on permits for Club VSF. Supervisors Ammiano, Medina presented. Referred to Housing and Neighborhood Services Committee.

File 98-0462.

[Health and Environment Resource Center]

Resolution supporting the creation of a Health and Environment Resource Center in the Bayview/Hunters Point community, as proposed by the Health Commission, acknowledging the need for additional funding for the project and requesting the Department of Public Health submit a detailed outline of the scope of work and a time line. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 98-0463.

Referred to Board

[Nuclear Waste Facility, Ward Valley]

Resolution opposing the proposed building of a nuclear waste facility in Ward Valley, California. Supervisors Newsom, Ammiano, Bierman, Yee, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0464.

[Odors in Bayview/Hunters Point Neighborhood]

Resolution urging the Public Utilities Commission to address the odor problems connected with the Southeast Wastewater Treatment Facility as soon as possible including the repair of the sewage digesters. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0465.

Referred to Committee

[Naturalization Application Processing]

Resolution approving the assignment of full-time City employees on paid status for periods of six months per employee to assist the Immigration and Naturalization Service to process the current backlog of naturalization applications for a period not more than one year and authorizing the assignment of City employees on paid status to provide assistance to the Immigration and Naturalization Service at the regular Tuesday morning naturalization ceremonies. Supervisor Teng presented. Referred to Finance Committee.

File 98-0466.

Referred to Board

[James Herman Landmark]

Resolution urging the Port of San Francisco to designate an appropriate landmark commemorating the life of James Herman. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0467.

[Proposition 226, Union Dues]

Resolution opposing Proposition 226 to restrict the use of union dues in political campaigns. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0495.

[Wastewater Treatment]

Resolution urging the Public Utilities Commission to prepare a comprehensive evaluation of feasible and sustainable alternatives for wastewater treatment. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0496.

Requests for Hearings:

[Sexual Harassment Policy/Procedures]

Hearing to consider status report on the development and implementation of a citywide standardized policy for investigating and responding to sexual harassment complaints by employees and to hear from department heads what steps they are taking to eliminate sexual harassment in their departments. Supervisor Yee presented. Referred to Health, Family and Environment Committee.

File 98-0468.

[Mount Davidson Storm-Related Problems]

Hearing to obtain input from and consider progress made by City departments in responding to storm-related issues on Mount Davidson. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 98-0469.

[Sutro Tower Addition]

Hearing to consider the recommendations of the Structural Advisory Committee with respect to their analysis of the environmental impact report for an addition to Sutro Tower. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0470.

[Mental Health Services, Juvenile Justice System]

Hearing to consider the state of mental health care services for minors in the care of the juvenile justice system. Supervisor Medina presented. Referred to Health, Family and Environment Committee.

File 98-0471.

[Tobacco Advertising Outdoor]

Hearing to consider enforcement measures of the City and County and the compliance by billboard companies of the San Francisco ban on outdoor advertising for tobacco. Supervisor Newsom presented. Referred to Health, Family and Environment Committee.

File 98-0472.

[Paratransit Scrip Program]

Hearing to examine the quality of service provided to senior and disabled paratransit scrip holders and potential holders. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0473.

[Recycled Unbleached Paper Project]

Hearing to consider the feasibility of using recycled unbleached paper in all City departments. Supervisor Newsom presented. Referred to Finance Committee.

File 98-0474.

[State of the City's Health Address]

Presentation by the Director of Public Health on the State of the City's Health. Supervisor Kaufman presented. At the direction of the President, referred to Board May 4, 1998, special order at 3:00 p.m.

File 98-0475.

Motions:

Referred to Board

[Sutro Tower EIR Appeal]

Motion continuing the appeal, currently scheduled for April 13, 1998, on the environmental impact report for Sutro Tower to April 20, 1998. Supervisors Bierman, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0497.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar March 30, 1998.

File 98-0498.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0482. [Appropriation, Dept. of Parking and Traffic] Ordinance appropriating \$1,836,338, Department of Parking and Traffic, from General Fund Reserve to fund forty-eight (48) Parking Control Officers, vehicles, equipment, materials, and contractual services for fiscal year 1997-98; companion measure to File 98-0483. RO #97228. (Controller) Referred to Finance Committee.

File 98-0483. [Salary Ord. Amendment, Dept of Parking & Traffic] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Parking and Traffic, reflecting the creation of forty-eight (48) new positions, (Class 8214 Parking Control Officer and Class 8216 Senior Parking Control Officer); companion measure to File 98-0482. (Department of Human Resources) Referred to Finance Committee.

File 98-0484. [Appropriation, Public Defender's Office] Ordinance appropriating \$165,700, Public Defender's Office, from the General Fund Reserve for salaries and fringe benefits and for the creation of two (2) new positions; companion measure to File 98-0485. RO #97229. (Controller) Referred to Finance Committee.

File 98-0485. [Salary Ord. Amendment, Public Defender's Office] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Public Defender's Office, reflecting the creation of two (2) new positions (Class 8174 Attorney, Civil and Criminal); companion measure to File 98-0484. (Department of Human Resources) Referred to Finance Committee.

File 98-0486. [Appropriation, Dept of Telecommunication] Ordinance appropriating \$75,000, Department of Telecommunication and Information Services, of Cable TV Access Fund to cover transitional expenses of public access television from TCI to San Francisco Community Television Corporation for fiscal year 1997-98. RO #97226. (Controller) Referred to Finance Committee.

File 98-0487. [Appropriation, Dept of Parking and Traffic] Ordinance appropriating \$323,484, Department of Parking and Traffic, from Gasoline Tax Fund to extend and expand the Red Light Photo Enforcement Project for fiscal year 1997-98. RO #97227. (Controller) Referred to Finance Committee.

File 98-0488. [Kajima Engineering & Construction, Inc. v. CCSF] Ordinance authorizing settlement of litigation of Kajima Engineering and Construction, Inc. against the City and County of San Francisco by payment of \$250,000. (Superior Court No. 990-898). (City Attorney) Referred to Rules Committee.

File 98-0489. [Conflict of Interest Code] Ordinance amending Administrative Code Section 58.290 to reflect organizational changes at the Port of San Francisco. (Port) Referred to Rules Committee.

File 98-0491. [Camp Mather Fees] Ordinance amending the San Francisco Park Code by adding Article 11, Sections 11.01 through 11.04 approving fees for Camp Mather. (Recreation and Park Department) Referred to Finance Committee.

File 98-0494. [Western Addition Area Redevelopment A-1 Plan] Ordinance approving an amendment to the Redevelopment Plan for Western Addition Project Area A-1 (Kaiser Hospital/Geary Campus), reclassifying Lot 9 of Block 1098 from M-4 (Medium Density Residential) to Community Shopping. (San Francisco Redevelopment Agency). Scheduled for public hearing before Board April 20, 1998, at 3:00 p.m.

Resolutions Referred to Committee

File 98-0479. [FY 98/99 Standards & Training, Local Corrections] Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department of the City and County of San Francisco to apply for, retroactively, accept and expend \$329,400.00 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers programs; stipulating adherence to standards for recruitment and training established by the Board of Corrections, waiving indirect costs. (Sheriff) Referred to Housing and Neighborhood Services Committee.

File 98-0480. [State Grant, STD Training Program] Resolution authorizing the Department of Public Health, Public Health Division, Community Health and Safety, to accept retroactively and expend grant funds of \$167,680 from the California Department of Health Services to conduct a sexually transmitted disease training program and to enter into an agreement which includes indemnification and rights in data clauses and which does not include patent infringement indemnification and false claims clauses. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0481. [Private Grant, Mental Health Managed Care Plan] Resolution authorizing the Department of Public Health, Community Health Services, Mental Health Branch, to accept retroactively and expend a grant of \$60,000 from the Miriam and Peter Haas Fund, for a consultant planner to assist in developing policy and programs for the mental health managed care plan; waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0490. [Gift Acceptance, DPH-Laguna Honda Hospital] Resolution authorizing the Department of Public Health, Laguna Honda Hospital, to accept and expend a gift of shares of stocks in the value currently estimated to be \$178,000 bequeathed to Laguna Honda Hospital from the Barbara Wylie Trust, to be expended for "the general benefit and comfort" of residents. (Department of Public Health) Referred to Rules Committee.

File 98-0492. [Contract, CCSF - Paralign Revenue Management, Inc.] Resolution authorizing the Director of Public Health and the Purchaser to execute a contract between the City and County of San Francisco and Paralign Revenue Management, Inc. to provide uncompensated care recovery services. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0493. [Hold Harmless Agreement] Resolution authorizing the Port of San Francisco to hold the State of California harmless from all claims arising from a lease agreement between the State Lands Commission and the San Francisco Port Commission for maintenance dredging. (Port) Referred to Economic Development, Transportation and Technology Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yee, that City Attorney prepare ordinance amending Elections Code Section 830 to change the ballot argument filing fee from \$200 plus \$3.00 per word to \$200 plus \$2.00 per word and amending Section 840 so that each signature submitted in lieu of a ballot argument fee reduces the amount of the fee by \$.50.

By Supervisor Yee, that letter of inquiry be sent to each Department Head requesting that they respond to the Board of Supervisors whether they have appropriately reported their sexual harassment complaints to the City's Equal Opportunity Office.

By Supervisor Ammiano, that City Attorney draft appropriate legislation to extend interim controls on telecommunications antenna placement, pending review of current land use siting guidelines by the Planning Commission and the adoption of such guidelines by the Telecommunications Commission as part of the City's Telecommunications Master Plan.

By Supervisor Ammiano, that letter be sent to Director of Public Health and Director of Planning regarding current and proposed plans for monitoring radio frequency radiation from telecommunications antenna.

By Supervisor Ammiano, that letter be sent to State Assembly indicating support of Assemblywoman Migden in her attempts to include hate crimes enhancements to Assembly Bill 1999, which would invoke life imprisonment without parole.

By Supervisor Ammiano, that letter of inquiry be sent to the City's Grand Jury to examine how the City deals with sexual harassment in the workplace and to make recommendations to put into place a system that protects City workers and punishes wrongdoers.

By Supervisor Ammiano, that letter be sent to Executive Director, Parking and Traffic, requesting a summary of planned vehicle purchases for parking control and meter maintenance purposes and whether zero or ultra-low emission vehicles exist for such applications.

By Supervisor Katz, that letter of inquiry be sent to Chief of Police regarding recent crackdown on massage parlors, particularly Asian staffed parlors, to determine why it has become a priority for the vice team and that a list of complaints justifying such action be included in the response.

By Supervisor Newsom, that City Attorney research and, if appropriate, draft an ordinance mandating Recreation and Park Department conduct periodic public surveying on park and recreation facility satisfaction and needs every five years to be published and used to form the basis for park planning, with appropriate legislation to ensure appropriate funding as required.

By Supervisor Newsom, that City Attorney research and, if appropriate, draft ordinance mandating Recreation and Park Department have a byline in the City Budget for each park under its jurisdiction.

Monday, March 23, 1998

By Supervisor Teng, that letter be sent to City Administrator requesting feasibility study on the use of electric cars for City departments to include but not limited to Department of Public Health, Department of Public Works, Airport and City departments which routinely use City fleet for short-distance trips.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

James R. Herman (By the entire Board)
Albert S. Samuels, Jr. (Supervisor Kaufman)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:45 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 4, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, March 30, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 30, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Noted absent at first roll call:

Supervisor Katz - 1.

Quorum present.

Supervisor Katz excused. (See infra.)

Supervisor Katz Excused

The Clerk stated Supervisor Katz requested to be excused from attending today's meeting.

Supervisor Teng, seconded by Supervisor Brown, moved to excuse Supervisor Katz from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Department of Public Health - SFGH]
Ordinance appropriating \$33,000,000, Department of Public Health, in medical revenues for San Francisco General Hospital's participation in the SB 855 Disproportionate Share Payment Program for fiscal year 1997-98. (Controller)

File 98-0320, Ordinance No. 126-98

(Fiscal Impact.)

Finally passed.

[Appropriation, Recreation and Park Department]
Ordinance appropriating \$1,450,000, Recreation and Park Department, for capital improvement projects - renovation of various soccer fields and the development of King Pool for fiscal year 1997-98. (Controller)

File 98-0321, Ordinance No. 125-98

(Fiscal Impact.)

Finally passed.

Passed on First Reading

[Settlement of Litigation, Carpenter v. CCSF]
Ordinance authorizing settlement of litigation entitled Carpenter v. City and County of San Francisco, in accordance with the settlement agreement on file with the Clerk of the Board, including the payment of \$572,815.46 in attorney's fees and costs. (Supervisor Kaufman)

File 98-0423, Ordinance No.

(Fiscal Impact.)

(U.S. District Court Case No. C-90-1836 MMC.)

Passed on first reading.

Recommendations of Economic Development, Transportation
and Technology Committee

Finally Passed

[Street Flower Market]

Ordinance amending Public Works Code to add to the Market Street Flower Market the location on the east sidewalk of Montgomery Street, at Market Street, within 50 feet south of the north property line of Post Street. (Supervisor Kaufman)

File 98-0293, Ordinance No. 124-98

(Amends Section 155.)

Finally passed.

[Underground District No. 339]

Ordinance creating Underground District No. 339 in the South Slope of Bernal Heights area. (Supervisor Medina)

File 98-0374, Ordinance No. 109-98

Finally passed.

[Underground District No. 338]

Ordinance creating Underground District No. 338 in the Ocean Avenue area. (Supervisor Medina)

File 98-0375, Ordinance No. 110-98

Finally passed.

[Underground District No. 340]

Ordinance creating Underground District No. 340 in the Dolores Street area. (Supervisor Medina)

File 98-0376, Ordinance No. 111-98

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Stop Sign, Chestnut Street at Broderick Street]

Resolution establishing all-way Stop signs on Chestnut Street at Broderick Street. (Supervisors Yee, Newsom, Katz)

File 98-0149, Resolution No. 223-98

Adopted.

[State Grant, Career Criminal Prosecution]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$197,178 made available through the Office of Criminal Justice Planning for a project entitled "Career Criminal Prosecution" for the twelve month period of July 1, 1997 through June 30, 1998. (Mayor's Office of Criminal Justice Council)

File 98-0247, Resolution No. 228-98

Adopted.

[State Grant - Elder Abuse]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$95,000 made available through the Office of Criminal Justice Planning for a project entitled "Elder Abuse Special Emphasis Victim Assistance Program" for the twelve month period July 1, 1997 through June 30, 1998, and waiving indirect cost due to funding constraints. (Mayor's Office of Criminal Justice Council)

File 98-0248, Resolution No. 229-98

Adopted.

[State Grant - Spousal Abuser Prosecution Program]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds not to exceed \$132,000 with no indirect costs available through the California Department of Justice for a project entitled "Spousal Abuser Prosecution Program" for the twelve month period July 1, 1997 through June 30, 1998. (Mayor's Office of Criminal Justice Council)

File 98-0249, Resolution No. 230-98

Adopted.

[Stop Intersections]

Resolution designating certain intersections as "STOP" intersections. (Housing and Neighborhood Services Committee)

File 98-0288, Resolution No. 234-98

(Stop Signs - Establish

10th Avenue and Judah Street, northeast and southwest corners, stopping Judah Street (makes this an all-way Stop);

14th Avenue and Radio Terrace, northwest and southeast corners, stopping 14th Avenue (makes this T-intersection an all-way Stop);

22nd Avenue and Anza Street, northwest and southeast corners, stopping 22nd Avenue (makes this an all-way Stop);

3rd and Perry Streets, northeast corner, stopping westbound Perry Street (makes this a 1-way Stop);

5th Avenue and Kirkham Street, northeast and southwest corners, stopping Kirkham Street (makes this an all-way Stop);

Bennington Street and Cortland Avenue, northeast and southwest corners, stopping Cortland Avenue (makes this an all-way Stop);

Capistrano and Santa Ysabel Avenues, southwest corner, stopping eastbound Santa Ysabel Avenue (makes this T-intersection a 1-way Stop);

Jamestown Avenue and Harney Way, northwest corner, stopping southbound Jamestown Avenue (makes this T-intersection a 1-way Stop);

Lyon and Chestnut Streets, northwest and southeast corners, stopping Lyon Street (makes this T-intersection an all-way Stop);

Lyon and Filbert Streets, northeast corner, stopping westbound Filbert Street (makes this T-intersection a 1-way Stop);

Lyon and Greenwich Streets, northwest and southeast corners, stopping Lyon Street (makes this T-intersection an all-way Stop);

El Camino Del Mar and Seal Rock Drive, northwest and southeast corners, stopping El Camino Del Mar (makes this T-intersection an all-way Stop.)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Housing and Neighborhood Services Committee)

File 98-0289, Resolution No. 235-98

(1-Hour Parking Time Limit, 7 am - 6 pm, Monday through Saturday - Rescind

Parking Meter Area No. 3 (1-Hour Parking Time Limit, 7 am - 6 pm, Monday Through Saturday - Establish

Ellis Street, north side, from Van Ness Avenue to 97 feet westerly (97-foot zone).

2-Hour Parking Time Limit, 8 am - 4 pm, Monday Through Friday - Establish

Ocean Avenue, south side, between 25th and 26th Avenues.

Parking Meter Area No. 2 (1-Hour Parking Time Limit, 7 am - 4 pm, Monday Through Friday; and 7 am - 6 pm, Saturday) - Establish

Franklin Street, east side, between Eddy and Turk Streets.

Parking Meter Area No. 2 (1-Hour Parking Time Limit, 7 am - 6 pm, Monday Through Saturday) - Establish

Franklin Street, east side, between Golden Gate Avenue and Turk Street.

Parking Meter Area No. 2 (1-Hour Parking Time Limit, 9 am - 4 pm, Monday Through Friday; and 7 am - 6 pm, Saturday) - Establish

Franklin Street, west side, between Golden Gate Avenue and Turk Street.

Parking Meter Area No. 3 (1-Hour Time Limit, 9 am - 6 pm, Monday Through Saturday) - Establish

24th Avenue, east side, from Taraval Street to 78 feet southerly (78-foot zone).

No Parking, 4 am - 6 am, Monday through Friday - Establish

Fern Street, north side, from 130 feet to 168 feet east of Franklin Street (38-foot zone, at meters #226 and #228).

Residential Permit Parking Area "N" (2-Hour Time Limit, 9 am - 6 pm, Monday through Friday) - Establish

Clement Street, both sides, between 14th and 15th Avenues (1300 block).

Residential Permit Parking Area "O" (2-Hour Time Limit, 8 am - 6 pm, Monday through Friday) - Establish

24th Avenue, both sides, between Taraval and Santiago Streets (2300 block);

Santiago Street, both sides, between 15th and 17th Avenues (400 and 500 blocks);

Ulloa Street, both sides, between Claremont Boulevard and Dorchester Street (700 block).

Residential Permit Parking Area "S" (2-Hour Time Limit, 8 am - 9 pm, Monday through Friday) - Establish

Noe Street, both sides, between 21st and Liberty Streets (southern portion of 700 block).

Residential Permit Parking Area "W" (1-Hour Time Limit, 8 am - 6 pm, Monday through Friday) - Establish

De Haro Street, both sides, between 23rd and 24th Streets (1200 block).

Unmetered Motorcycle Parking - Establish

Guerrero Street, east side, from Market Street to 18 feet southerly (18-foot zone, accommodating 3 motorcycle stalls);

Rose Street, north side, from Market Street to 26 feet westerly (26-foot zone, accommodating 5 motorcycle stalls).)

Adopted.

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets. (Department of Parking and Traffic)

File 98-0290, Resolution No. 236-98

(Bicycle Lanes - Establish

7th Street, east curb lane (northbound only), between Market and Bryant Streets;

Harrison Street, both sides (northbound and southbound), between 26th and Cesar Chavez Streets;
Harrison Street, east side (northbound), from 22nd Street to 180 feet southerly;
Harrison Street, west side (southbound), between 22nd and 23rd Streets.

Bicycle Lanes - Rescind

Sansome Street, west curb lane (northbound), between Green and Lombard Streets.

No Left Turn - Rescind

Cesar Chavez Street, eastbound, at Valencia Street.

No Turn on Red - Establish

Market Street, westbound, at 7th Street.

Crosswalk Closure - Establish

Ocean Avenue and Eucalyptus Drive, west side, crossing Ocean Avenue.

Left Lane must Turn Left - Establish

Ocean Avenue, eastbound, at Junipero Serra Boulevard.

Right Turn Only - Establish

Junipero Serra Boulevard west frontage road, northbound, at Eucalyptus Drive.

Tow-Away, No Stopping Anytime - Establish

7th Street, east side, between Mission and Stevenson Streets;

8th Street, west side, from Harrison Street to 172 feet northerly (172-foot zone);

Aleman Boulevard, east side, from Niagara Avenue to 42 feet southerly (42-foot zone);

Aleman Boulevard, west side, from Niagara Avenue to 32 feet northerly (32-foot zone);

Post Street, north side, from Grant Avenue to 80 feet westerly (80-foot zone);

San Jose Avenue, east side, from Theresa Avenue to 52 feet southerly (52-foot zone);

Clay Street, north side, from Sansome Street to 99 feet westerly (99-foot zone);

Sansome Street, west side, from Clay Street to 41 feet southerly (41-foot zone);

Sansome Street, west side, from Washington Street to 39 feet southerly (39-foot zone).

Tow-Away, No Stopping Anytime - Rescind

Clay Street, south side, from Sansome Street to 130 feet westerly (130-foot zone);

Post Street, north side, from Grant Avenue to 98 feet westerly (98-foot zone);

San Jose Avenue, east side, from Theresa Avenue to 25 feet southerly (25-foot zone).

Tow-Away, No Stopping, 3 pm - 6 pm, Monday through Friday - Rescind

Beale Street, east side, between Market and Mission Streets.

Tow-Away, No Stopping, 4 pm - 6 pm, Monday through Friday - Rescind

Drumm Street, west side, between Sacramento and California Streets.

Tow-Away, No Stopping, 7 am - 6 pm, Monday through Friday - Rescind

Franklin Street, east side, between Golden Gate Avenue and Turk Street.

Tow-Away, No Stopping, 7 am - 6 pm, Monday through Friday - Rescind

Tow-Away, No Stopping, 7 am - 9 am and 4 pm - 7 pm, Monday through Friday, Establish

Franklin Street, west side, between Golden Gate Avenue and Turk Street.

Tow-Away, No Stopping, 7 am - 6 pm, Monday through Friday - Rescind

Tow-Away, No Stopping, 4 pm - 6 pm, Monday through Friday - Establish

Franklin Street, east side, between Eddy and Turk Streets.

Tow-Away Lane must Turn Right - Establish

Franklin Street, northbound, at Golden Gate Avenue.

Tow-Away, No Stopping Anytime - Rescind

Irving Street, north side, from 2nd Avenue to 60 feet easterly (60-foot zone, to be replaced with longer tow-away zone);

Irving Street, south side, from 2nd Avenue to 300 feet easterly (300-foot zone, to be replaced with shorter tow-away zone).

Tow-Away, No Stopping Anytime - Establish

Irving Street, north side, between Arguello Boulevard and 2nd Avenue;

Irving Street, south side, from 2nd Avenue to 250 feet easterly (250-foot zone);

Irving Street, south side, from 2nd Avenue to 30 feet westerly 30-foot zone).

Right Lane must Turn Right - Establish

Irving Street, eastbound, at 2nd Avenue.

Tow-Away Lane must Turn Right - Rescind

Irving Street, eastbound, at 2nd Avenue

Tow-Away, No Stopping, 8 am - 6 pm, Monday through Friday- Rescind

Irving Street, south side, from 2nd Avenue to 150 feet westerly (150-foot zone).)

Adopted.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Bicycle Advisory Committee for unexpired portion of three-year term ending December 22, 1998. (Rules Committee)

File 98-0284, Resolution No. 233-98

(Robin Levitt, succeeding Chuck Summer, Seat No. 24311, must be bicyclist at large, resigned.)

Adopted.

[Appointments]

Resolution appointing members to the Advisory Council to the Commission on the Aging, terms expired March 31, 1998, for new two year terms to expire March 31, 2000. (Rules Committee)

File 98-0504, Resolution No. 250-98

(Reeva Olson, succeeding herself, Seat No. 20306;

Florence Edelman, succeeding herself, Seat No. 20303;

Vera Haile, succeeding herself, Seat No. 20304.)

Adopted.

Passed on First Reading

[Norman Doolittle, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of plaintiffs Norman Patrick Doolittle, David Andrew Gibb, Martin Stephen Hardwick against the City and County by payment of \$32,500 (payable as follows: \$29,500 to plaintiff Doolittle; \$1,500 to plaintiff Gibb; \$1,500 to plaintiff Hardwick). (City Attorney)

File 98-0361, Ordinance No.

(Superior Court No. 978634.)

Passed on first reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

NEW BUSINESS

Recommendation of Finance Committee

Passed on First Reading

[Appropriation, Department of Parking and Traffic]

Ordinance appropriating and rescinding \$162,360, Department of Parking and Traffic, of Rental and Lease Funds and Work Order Funds for equipment required for a new wide area network and mobile radios for fiscal year 1997-98. (Supervisor Teng)

File 98-0322, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Liquor License, 2431 Noriega Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine license to Samer M. Hamtini for "Joe's Discount Store of Noriega" located at 2431 Noriega Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code; with condition. (Housing and Neighborhood Services Committee)

File 98-0086, Resolution No. 222-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Liquor License Transfer, 1412 Stockton Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 1607 - 20th Street to Katherine Laramy for "Il Florence Deli, LLC" located at 1412 Stockton Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0171, Resolution No. 224-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Liquor License, 2055 McAllister Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine-public premises alcoholic beverage control license to John Formosa for "San Francisco Wine and Spirits" located at 2055 McAllister Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0198, Resolution No. 225-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Liquor License Transfer, 111 Minna Street]

Resolution determining that the transfer of a Type 47 on-sale general eating place alcoholic beverage control license from 391 Broadway to Jung Eiming for "Minna Street Gallery" at 111 Minna Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0202, Resolution No. 226-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Liquor License, 1785 Fulton Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine - public premises alcoholic beverage control license to Riley O'Callaghan for "Fulton Street" located at 1785 Fulton Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0221, Resolution No. 227-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Liquor License Transfer, 1925 Jerrold Avenue]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 1887 Union Street to A. Darby Williams for "Cook Express" located at 1925 Jerrold Avenue, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0250, Resolution No. 231-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Liquor License Transfer, 91 Sixth Street]

Resolution opposing the request for the transfer of a Type 21 off-sale general alcoholic beverage control license for Fuad I. Ahmed for "New Sixth Street Market" from 96 Sixth Street to 91 Sixth Street, and determining that it will not serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0251, Resolution No. 232-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Recommendation of Rules Committee

Passed on First Reading

[Committee Meeting Observer]

Ordinance amending Administrative Code to allow non-committee members of a policy body to attend a committee meeting as observers without converting the committee meeting into a meeting of the policy body. (Supervisors Kaufman, Teng, Medina, Brown)

File 98-0258, Ordinance No.

(Amends Section 67.3.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to the recommendation of the Public Transportation Commission for abandonment of portions of service on Lines 32-Embarcadero, 42-Downtown Loop, 80X-Gateway Express, 81X-Caltrain Express and 82X-Levi Plaza and Presidio Express, and establishment of substitute service.

File 98-0358, 98-0359

(Reroute the 32-Embarcadero to operate between Hyde/Beach and the Muni Metro station on the Embarcadero between Folsom and Harrison at all times. The 32 would no longer operate along The Embarcadero south of Harrison or on Townsend, Fourth, Berry, King and Third Streets between The Embarcadero and the Caltrain Station during weekday peak periods and on weekends as it does now. This area is now served by E-Embarcadero Muni Metro rail service.

Reroute the 42-Downtown Loop to operate via Howard and Second Street (clockwise loop) and Second and Folsom (counterclockwise loop) between Market Street and the Caltrain Station. The 42 would no longer operate on certain portions of First Street, Harrison Street, Main Street, Bryant Street, The Embarcadero, and Brannan Street.

Discontinue present service on lines 80X, 81X and 82X and establish new service on lines 80X and 82X; the net effect of these changes will be as follows:

Extend the 80-X Gateway Express west from Front to Sansome; the frequencies would also be revised to reflect diversion of passengers to rail service on the new Muni Metro Embarcadero Extension.

Discontinue the 81X-Caltrain Express, weekday peak period 80X service would be removed from Third, Market, Beale, Folsom, The Embarcadero, Townsend, Fourth and King.

Revise the 82X-Levi Plaza and Presidio Express to operate (weekdays, peak periods only) on a revised AM peak period route and to operate on the same PM peak period route as it does now. It would no longer operate on The Embarcadero between Folsom and Broadway and on Broadway between The Embarcadero and Front in the AM peak period. As with 80X, the schedule would also be revised.)

The privilege of the floor was granted to the following persons:

Howard Strassner; Henry Kreinhenz; Joe Maionchi, Charles Parker.

From Public Transportation Commission

(Only one of the following two resolutions should be adopted.)

Question Divided; Consideration Continued as Divided

[Public Transportation]

Resolution approving abandonment of portions of service on Lines ((32-Embarcadero,)) 42-Downtown Loop, 80X-Gateway Express, 81X-Caltrain Express and 82X-Levi Plaza and Presidio Express, and establishment of substitute service.

File 98-0358, Resolution No. 205-98

At the request of Supervisor Ammiano, the question was divided concerning Line 32 so the matter could be considered separately. (See File 98-0514.)

Supervisor Ammiano, seconded by Supervisor Yaki, moved to continue the remainder (Lines 42-Downtown Loop, 80X-Gateway Express, 81X-Caltrain Express and 82X-Levi Plaza and Presidio Express) to April 6, 1998.

Motion to continue consideration on the resolution as divided was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Monday, March 30, 1998

Adopted as Divided

[Public Transportation]

Resolution approving abandonment of portions of service on Line 32-Embarcadero and establishment of substitute service.

File 98-0514, Resolution No. 251-98

Supervisor Ammiano, seconded by Supervisor Yaki, moved adoption.

Adopted as divided by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Consideration Continued

[Public Transportation]

Resolution disapproving abandonment of portions of service on Lines 32-Embarcadero, 42-Downtown Loop, 80X-Gateway Express, 81X-Caltrain Express and 82X-Levi Plaza and Presidio Express, and establishment of substitute service.

File 98-0359, Resolution No.

Supervisor Ammiano, seconded by Supervisor Yaki, moved to continue consideration to April 6, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

SPECIAL ORDER 3:00 P.M.

Tabled

[Public Hearing]

Hearing of persons interested in or objecting to amending Ordinance No. 14-81, as amended by Ordinance Nos. 50-84, 405-91, 137-92, 270-92, 430-94, 119-97, 276-97, 334-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the Project Area by adding land to the South Beach Sub-Area of the Project Area, specifically portions of Block 3774 (Sara Lee Corporation).

File 151-97-4.1

(November 10, 1997 - Consideration rescheduled to March 30, 1998.)

At the request of the Redevelopment Agency, Supervisor Teng, seconded by Supervisor Yaki, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

From Redevelopment Agency

Tabled

[Rincon Point-South Beach Redevelopment Plan]

Ordinance amending Ordinance No. 14-81, as amended by Ordinance Nos. 50-84, 405-91, 137-92, 270-92, 430-94, 119-97, 276-97, 334-97, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to expand the Project Area by adding land to the South Beach Sub-Area of the Project Area, specifically portions of Block 3774 (Sara Lee Corporation). (Redevelopment Agency)

File 151-97-4.1, Ordinance No.

Supervisor Teng, seconded by Supervisor Yaki, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Support request for supplemental funding for AIDS: Mario Solis-Manich; Donald; male speaker.
Support continuance of Sutro Tower public hearing: Christina; Siu Ling Chen; Doris Linoback.
Support creation of task force relating to exotic dancers: Female speaker; Stacy; Donna; Chris.
Pat Carey, government creation of AIDS as chemical biological germ.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Conference with Clerk of the Board - Personnel

From the President

Adopted

Motion that the Board of Supervisors convene in closed session for the purpose of discussing the performance, at his request, of a public employee, the Clerk of the Board of Supervisors, Legislative Administrator and City Clerk, John L. Taylor, as authorized by Government Code Section 54957.

Supervisor Teng, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Recess

The Board recessed at the hour of 3:50 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 4:03 p.m. reconvened.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Medina, Newsom, Yaki, Yee - 7.

Noted absent:

Supervisors Katz, Kaufman, Teng - 3.

Quorum present.

Report on Closed Session

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the above matter.

Supervisor Newsom, seconded by Supervisor Medina moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Medina, Newsom, Yaki, Yee - 7.

Absent: Supervisors Katz, Kaufman, Teng - 3.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Newsom requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Proposition 226, Union Dues]
Resolution opposing Proposition 226 to restrict the use of union dues in political campaigns.
(Supervisors Newsom, Medina)

File 98-0495, Resolution No. 248-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Supervisor Newsom, seconded by Supervisor Brown, moved to amend page one, lines 7 and 8 and lines 13 and 14 by deleting entire whereas clause.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Medina, Newsom, Yaki, Yee - 7.

Absent: Supervisors Katz, Kaufman, Teng - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Medina, Newsom, Yaki, Yee - 7.

Absent: Supervisors Katz, Kaufman, Teng - 3.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Delta Sigma Theta, Inc.]
Resolution commending the San Francisco Alumnae Chapter of Delta Sigma Theta, Inc. on its 50th anniversary working with and for the greater San Francisco City and County community. (Supervisors Brown, Medina, Teng)

File 98-0453, Resolution No. 237-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng requested to be added as co-sponsors.

[Commend Cecilia Metz]
Resolution commending Cecilia Metz for her hard work, dedication and years of service on behalf of the Golden Gate Restaurant Association and its members. (Supervisors Kaufman, Medina, Newsom, Teng)

File 98-0454, Resolution No. 238-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Newsom, Teng requested to be added as co-sponsors.

[Commend Mrs. Thelma Shelley]

Resolution commending Mrs. Thelma Shelley, departing Managing Director of the San Francisco War Memorial and Performing Arts Center, for twenty years of service to the City and County of San Francisco. (Supervisors Kaufman, Bierman, Medina, Newsom, Teng)

File 98-0455, Resolution No. 221-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Newsom, Teng requested to be added as co-sponsors.

[Earth Day]

Resolution urging his Honor, Mayor Willie L. Brown, Jr. and the City and County of San Francisco to officially recognize Earth Day, April 22, 1998, by holding an official celebration of this event at the Green Room in City Hall. (Supervisors Newsom, Bierman, Medina, Teng)

File 98-0456, Resolution No. 239-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng requested to be added as co-sponsors.

[Commend Sacred Heart Cathedral Girls Team]

Resolution commending Sacred Heart Cathedral Girls Basketball Team for winning the California Division III State Championship title. (Supervisors Newsom, Kaufman, Medina, Teng)

File 98-0457, Resolution No. 240-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng requested to be added as co-sponsors.

["Baby Brigade Day"]

Resolution welcoming back the Baby Brigade on April 22, and declaring April 22, 1998 as "Baby Brigade Day" in San Francisco. (Supervisors Teng, Bierman, Medina)

File 98-0458, Resolution No. 241-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Pacific Bell Pioneer Week]

Resolution commending Pacific Bell volunteers for their invaluable efforts to promote volunteerism throughout the country and declaring April 19-25, 1998 as Pacific Bell Pioneer Week in San Francisco. (Supervisors Yaki, Kaufman, Medina, Newsom, Teng)

File 98-0459, Resolution No. 242-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng requested to be added as co-sponsors.

[Oppose Proposition 226]

Resolution opposing Proposition 226, an initiative regarding political contributions by employees, union members, and foreign entities. (Supervisors Yee, Medina, Newsom, Teng)

File 98-0460, Resolution No. 243-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng requested to be added as co-sponsors.

[State Legislation, AB 1999]

Resolution urging representatives from the California State Legislature to amend California Penal Code Section 190(a) 16, to include all classes of persons and to support AB 1999 which will incorporate crimes against gender into the California Hate Crimes Act. (Supervisors Newsom, Katz, Kaufman, Bierman, Medina, Teng)

File 98-0461, Resolution No. 244-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng requested to be added as co-sponsors.

[Nuclear Waste Facility, Ward Valley]

Resolution opposing the proposed building of a nuclear waste facility in Ward Valley, California. (Supervisors Newsom, Ammiano, Bierman, Yee, Yaki, Katz, Medina)

File 98-0464, Resolution No. 245-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, requested to be added as co-sponsors.

[Odors in Bayview/Hunters Point Neighborhood]

Resolution urging the Public Utilities Commission to address the odor problems connected with the Southeast Wastewater Treatment Facility as soon as possible including the repair of the sewage digesters. (Supervisors Newsom, Bierman, Medina)

File 98-0465, Resolution No. 246-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[James Herman Landmark]

Resolution urging the Port of San Francisco to designate an appropriate landmark commemorating the life of James Herman. (Supervisors Yaki, Bierman, Medina)

File 98-0467, Resolution No. 247-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[Wastewater Treatment]

Resolution urging the Public Utilities Commission to prepare a comprehensive evaluation of feasible and sustainable alternatives for wastewater treatment. (Supervisor Newsom)

File 98-0496, Resolution No. 249-98

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

[Clerk of the Board]

Motion establishing a process to hire a Clerk of the Board of Supervisors to replace John Taylor who plans to leave the position this year. (Clerk of the Board)

File 98-0476, Motion No. M98-47

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

[Sutro Tower EIR Appeal]

Motion continuing the appeal, currently scheduled for April 13, 1998, on the environmental impact report for Sutro Tower to April 20, 1998. (Supervisors Bierman, Yee)

File 98-0497, Motion No. M98-48

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 98-0498, Motion No. M98-49

(March 23, 1998 - Introduced in Board for consideration on March 30, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Medina, Newsom, Yaki, Yee - 7.

Absent: Supervisors Katz, Kaufman, Teng - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Newsracks]

Ordinance amending Public Works Code by adding Section 184.12 regulating the placement and maintenance of newsracks on public streets, sidewalks and rights-of-way to prohibit free-standing newsracks in specified areas of the City, authorizing the creation of fixed pedestal zones in specified areas of the City and authorizing the Director of Public Works to select and enter into agreements with vendors to provide and maintain fixed-pedestal newsracks. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-0515.

[Newsracks Appeal]

Ordinance amending Municipal Code Part III, by amending Section 8 to provide for appeals to the Board of Permit Appeals from decisions of the Director of Public Works concerning permits for fixed pedestal newsracks; companion measure to File 98-0515. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-0516.

[Taximeter Reinspection Waiver]

Ordinance amending Administrative Code by adding Section 1.15.2 to waive the fee charged for any re-testing, reinspection or recertification of taximeters occasioned by a taxicab rate change adopted by the Board of Supervisors during 1998, subject to conditions. Supervisor Newsom presented. Referred to Finance Committee.

File 98-0517.

[Affordable Child Care Program]

Ordinance amending Planning Code Section 314.5 to expand the sources and eligible uses of monies in the Affordable Child Care Fund, to allow monies from that fund to be used to fund any report(s) required to demonstrate the relationship between office and hotel development projects and child care demand as described in San Francisco Planning Code Section 314.4 and to provide for Board of Supervisors approval

of rules and regulations for the uses of that fund; companion measure to File 98-0519. Supervisor Teng presented. Referred to Finance Committee.

File 98-0518.

[Massage Establishments] Ordinance amending Planning Code Sections 183, 209.8, 218.1 and 249.5 to prohibit certain massage establishments in the North of Market Residential Special Use District, to decrease the period of permitted discontinuance of an existing massage establishment from six months to three months and to impose conditions upon a change of ownership or operation of existing massage establishment. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 98-0520.

[Rent Pass Through]

Ordinance amending Administrative Code Sections 37.2, 37.3 and 37.8 to permit landlords to pass through to tenants any increase in the property tax rate imposed as a result of a ballot measure approved by the voters between November, 1996 and November, 1998. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0521.

[Affordable Child Care Fund]

Resolution approving regulations for the use of the Affordable Child Care Fund established by San Francisco Planning Code Section 314.5; superseding existing regulations for the use of the Affordable Child Care Fund; and authorizing the use of the current unexpended balance of the Affordable Child Care Fund. Supervisor Teng presented. Referred to Finance Committee.

File 98-0519.

Referred to Board

[Commend Timothy Jackson]

Resolution recognizing Timothy Bryant Jackson for his exceptional service to the guests of the Ramada Plaza Hotel International and commending him for his contributions to the City and County of San Francisco. Supervisors Kaufman, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0522.

[Commend Golden Gate Restaurant Association]

Resolution recognizing the Golden Gate Restaurant Association on the occasion of its 60th Anniversary and commending the Association and its members for their contributions to the economic and culinary health of San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0523.

[Commend WOWER POWER]

Resolution recognizing the members of WOWER POWER for their efforts to celebrate the beginning of the Women's Rights Movement and declaring this group to be an official delegation from San Francisco to "Celebrate '98" in Seneca Falls, New York in July of 1998. Supervisors Kaufman, Amiano presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0524.

[Proclaim Occupational Therapy Month]

Resolution proclaiming the month of April 1998 as Occupational Therapy Month in San Francisco and calling upon all citizens to recognize the achievements and contributions of these valued health care professionals. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0525.

[Proclaim Public Safety Telecommunicators Week]

Resolution declaring the second week of April "Public Safety Telecommunicators Week". Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0526.

[Take Our Daughters to Work Day]

Resolution commending the Junior Achievement of the Bay Area, Inc., the Commission on the Status of Women and the Ms. Foundation for their efforts for this year's "Take Our Daughters To Work Day" and urging all City departments to encourage their staff to bring their daughters to work, to set up educational seminars for young women with departmental staff, and provide meaningful tasks for young women who come to work on April 23, 1998. Supervisors Teng, Kaufman, Katz, Bierman, Yaki, Medina, Brown, Ammiano, Newsom, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0527.

[State Proposition 224, Private Contractors]

Resolution opposing California Proposition 224 (Government Cost Savings and Taxpayer Protection Amendment) relating to contracts for engineering, architectural, landscape architectural, surveying, environmental or engineering geology services. Supervisors Kaufman, Teng, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0528.

[Human Rights City]

Resolution declaring San Francisco as a Human Rights City and pledging to oppose any legislation or action that impinges on the fundamental rights of human beings. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0529.

Referred to Committee

[Sunshine Ordinance Task Force]

Resolution establishing a policy to involve the Sunshine Task Force in the consideration and review of proposed amendments to the City's Sunshine Ordinance. Supervisor Ammiano presented. Referred to Rules Committee.

File 98-0530.

Referred to Board

[Gift Acceptance/Hold Harmless Agreement]

Resolution accepting gift-in-place valued at \$200,000 for Boeddeker Park from the Rotary Club of San Francisco and authorizing the General Manager of the Recreation and Park Department to enter into an agreement indemnifying and holding harmless the Rotary Club and its members from any liability arising out of the design and construction of the gift-in-place. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0531.

[Commend Reverend Henry L. Davis, Jr.]

Resolution commending Reverend Henry L. Davis, Jr. on his 13th Anniversary as pastor of First Union Baptist Church. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0532.

[Opposing Reggie White's Remarks]

Resolution opposing the substance of Mr. Reggie White's remarks before the Wisconsin Legislature. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0533.

[Running Red Light Vehicle Owner Warning Letter]

Resolution urging the Police Department to write warning letters to owners of vehicles caught running a red light when the police are unable to issue a citation because the vehicle but not the driver is identified. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0534.

[Tax Collector Parking Lot Concession Report]

Resolution urging the Tax Collector's office to develop a systematic approach to tracking money collected by concessionaires from existing and future parking lots, which may include requiring concessionaires to adhere to easily audited record keeping; also asking the Tax Collector for a progress report and a timeline for implementation within thirty days of the passage of this resolution. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0535.

[Mental Health Division Trust Fund]

Resolution urging the City and the Department of Public Health Mental Health Division to create a trust fund which allows a portion of demonstrated savings from lower utilization of high-end services to be reinvested into prevention and early intervention programs and establishing a policy or reinvesting in our children. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0536.

[Funding for Children's Services]

Resolution encouraging the Department of Public Health, the Mayor's Office of Children, Youth and Their Families, the Department of Human Services, the Juvenile Probation Department and the San Francisco Unified School District to consider blending a portion of their local funding for children's services to leverage additional Federal Medi-Cal dollars and urging these departments to work with the Controller's Office and the Mayor's Budget Office to evaluate this approach to maximizing children's funding. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0537.

Requests for Hearings:

[Halloween Celebrations]

Hearing to consider San Francisco's oversight of organized Halloween celebrations. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 98-0538.

[Medical Device Safety Compliance]

Hearing to consider enacting a San Francisco Safer Medical Devices Compliance Ordinance. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 98-0539.

[National Task Force on AIDS Funding]

Hearing to consider the National Task Force on AIDS need for an emergency supplemental appropriation in the amount of \$120,000 to sustain local programs of the national Task Force on AIDS. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-0540.

[Day Care for Welfare to Work Participants]

Hearing to consider the availability, conditions and costs of day care facilities for parents transitioning from welfare to work. Supervisor Medina presented. Referred to Health, Family and Environment Committee.

File 98-0541.

[Adult Probation System]

Hearing to consider the status of the Adult Probation System in San Francisco. Supervisor Medina presented. Referred to Health, Family and Environment Committee.

File 98-0542.

Motions:

Referred to Board

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. Supervisors Kaufman, Ammiano, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar April 6, 1998.

File 98-0543.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0363. [S.F. Conservation Corps Master Agreement] Substitute ordinance waiving competitive bid and prevailing wage requirements for the Department of Parking and Traffic's award of a master contract to the San Francisco Conservation Corps for maintenance services, landscape services, installation services, and conservation and recycling education. (Department of Parking and Traffic) Referred to Finance Committee.

File 98-0505. [Vehicle Weight Restriction] Ordinance amending Traffic Code by adding Section 28.5.51, adding to the list of streets upon which commercial vehicle weight restriction shall apply. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 98-0506. [Appropriation, Juvenile Probation Department] Ordinance appropriating \$2,638,924, Juvenile Probation Department, of Federal Temporary Assistance to Needy Families (TANF) for salaries, fringe benefits, professional and contractual services, equipment, services of other departments (Adult Probation) and for the creation of nine (9) community based community based probation officer positions for fiscal year 1997-98, to provide counseling, home-based supervision, and other services for juveniles; companion measure to File 98-0507. RO #97230. (Controller) Referred to Finance Committee.

File 98-0507. [Salary Ordinance Amendment, Juvenile Probation] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Juvenile Probation Department, reflecting the creation of nine (9) new positions (Class 8444 Deputy Probation Officer); companion measure to File 98-0506. (Department of Human Resources) Referred to Finance Committee.

File 98-0508. [MOU, Unrepresented Employees] Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1998. (Department of Human Resources) Referred to Finance Committee.

File 98-0509. [MOU, Local 104] Ordinance amending the provisions of the Memorandum of Understanding between the Sheet Metal Workers International Union, Local 104 and the City and County of San Francisco to add night shift premium to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0477. [U.S. Postal Service License Renewal] Resolution authorizing and approving a license renewal for a one rack transmitter at the Central Radio Station and antennae space at Christmas Tree Point Tower to the United States Postal Service. (Real Estate Department) Referred to Finance Committee.

File 98-0501. [Stop Intersections] Resolution designating certain intersections as "STOP" intersections. DPT Order No. 1475. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-0502. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1475. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-0503. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1475. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-0510. [Health Service System Contributions] Resolution establishing monthly contribution to be made to the Health Service Trust Fund by the City and County, Unified School District and Community College District for fiscal year 1998-99. (Department of Human Resources) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that City Attorney prepare ordinance which would establish uniform soil and groundwater clean up levels throughout the City and County of San Francisco.

By Supervisor Ammiano, that City Attorney prepare appropriate legislation to create an inter-departmental task force to address the various areas of concern raised by the Exotic Dancers' Alliance regarding the adult entertainment industry.

By Supervisor Ammiano, that City Attorney prepare ordinance to create the San Francisco Safer Medical Devices Compliance Ordinance which would require all health facilities in hospitals, clinics, laboratories, offices, schools, correctional settings, long-term care facilities, hospices, research settings, homes, or in pre-hospital environments (e.g. emergency response), which are owned by, maintain contracts with, or receive any funds or services from the City and County of San Francisco to comply with the ordinance. File 98-0539.

By Supervisor Bierman, that letters of inquiry be sent to Sunset Scavenger and City Administrator concerning the new Sunset Scavenger recycling containers to determine what accommodations for senior citizens and people with disabilities who may have difficulty handling the new, larger recycling containers have been instituted.

By Supervisor Brown, that letters of inquiry be sent to Juvenile Probation, Chief of Police, Mayor's Office of Children, Youth and their Families to determine the number of minors in custody for crimes involving the use of guns.

By Supervisor Newsom, that letter of inquiry be sent to Director, Department of Parking and Traffic to determine when the report on the inventory of off street parking will be completed.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Janis Kauffman Meier (Supervisor Kaufman)
Emmy Lou Packard (Supervisor Bierman)
Kazuko Kure (Supervisor Teng)
Antoinette Marden (Supervisor Brown)
Angelique Roberts (Supervisor Brown)
Alexandra Hogg (Supervisor Brown)
Natalie Brooks (Supervisor Brown)
Paige Ann Herring (Supervisor Brown)
Stephanie Johnson (Supervisor Brown)
Brittany Varner (Supervisor Brown)
Shannon Wright (Supervisor Brown)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:08 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 11, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, April 6, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 6, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Bierman, Teng - 2.

Quorum present.

Supervisor Bierman was noted present at 2:06 p.m.

Supervisor Teng was noted present at 2:06 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Brown, moved that the Journal of Proceedings for Monday, February 23, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Bierman, Teng - 2.

Presentation of Guests

Supervisor Kaufman introduced and welcomed Marissa Bloom, Margo Christian and Annie Wood, members of WOWER Power, an official delegation from San Francisco to "Celebrate '98" in Seneca Falls, New York.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Department of Parking and Traffic]
Ordinance appropriating and rescinding \$162,360, Department of Parking and Traffic, of Rental and Lease Funds and Work Order Funds for equipment required for a new wide area network and mobile radios for fiscal year 1997-98. (Supervisor Teng)

File 98-0322, Ordinance No. 130-98

Finally passed.

Passed on First Reading

[Appropriation, Dept. of Human Resources]
Ordinance appropriating \$569,464, Department of Human Resources, from the General Fund Salary Reserve, to fund labor negotiations for fiscal year 1997-98; providing for ratification of action previously taken. (Controller)

File 98-0362, Ordinance No.

Passed on first reading.

[Appropriation, Airport Commission]

Ordinance appropriating \$37,990,313, Airport Commission, for various capital improvement projects (related to the Master Plan and the development of Airport infrastructure), for fiscal year 1997-98. (Controller)

File 98-0407, Ordinance No.

Passed on first reading.

[Appropriation, Port Commission]

Ordinance appropriating \$1,501,492, Port Commission, of San Francisco Harbor Operating Fund balance to fund the costs of various capital improvement projects (Fisherman's Wharf Plaza, landfill closure, wetland restoration, gas structure relocation, Pier 45 apron repair), for fiscal year 1997-98. (Controller)

File 98-0408, Ordinance No.

Passed on first reading.

[Settlement of Litigation, Carpenter v. CCSF]

Ordinance authorizing settlement of litigation entitled Carpenter v. City and County of San Francisco, in accordance with the settlement agreement on file with the Clerk of the Board, including the payment of \$572,815.46 in attorney's fees and costs. (Supervisor Kaufman)

File 98-0423, Ordinance No. 127-98

(Fiscal Impact.)

(U.S. District Court Case No. C-90-1836 MMC.)

Finally passed.

Adopted

[Agreement, Transfer Payment from BART to MUNI]

Resolution approving agreement between the City and County of San Francisco and the Bay Area Rapid Transit District, authorizing payment to San Francisco Municipal Railway for transfer trips provided in fiscal year 1996-1997. (Public Transportation Commission)

File 98-0364, Resolution No. 256-98

Adopted.

[Prop J Contract, Clean Water Security Services]

Resolution concurring with the Controller's Certification that security services can be practically performed at the Southeast Community Service Facility, the Southeast Water Pollution Control Plant, the Earl P. Mills Center, and for as needed services by private contractor for lower cost than similar work services performed by City and County employees. (Public Utilities Commission)

File 98-0412, Resolution No. 262-98

Adopted.

Recommendations of Rules Committee

Finally Passed

[Committee Meeting Observer]

Ordinance amending Administrative Code to allow non-committee members of a policy body to attend a committee meeting as observers without converting the committee meeting into a meeting of the policy body. (Supervisors Kaufman, Teng, Medina, Brown)

File 98-0258, Ordinance No. 129-98

(Amends Section 67.3.)

Finally passed.

[Norman Doolittle, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of plaintiffs Norman Patrick Doolittle, David Andrew Gibb, Martin Stephen Hardwick against the City and County by payment of \$32,500 (payable as follows: \$29,500 to plaintiff Doolittle; \$1,500 to plaintiff Gibb; \$1,500 to plaintiff Hardwick). (City Attorney)

File 98-0361, Ordinance No. 132-98

(Superior Court No. 978634.)

Finally passed.

Recommendations of Health, Family & Environment Committee

Adopted

[CalWORKs Child Care Program]

Resolution authorizing consolidation of various streams of child care funding by modification of the existing contract with the Children's Council of San Francisco, a California corporation, to add to said contract the funds and services from these other sources. (Department of Human Services)

File 98-371, Resolution No. 253-98

Adopted.

[Five Year Planning Initiative Funding]

Resolution supporting the Mayor's Office of Children, Youth and Their Families' proposal to the San Francisco Foundation and the Evelyn and Walter Haas Fund for funds for a Five Year Planning Initiative. (Mayor Willie L. Brown, Jr.)

File 98-392, Resolution No. 258-98

Adopted.

[Contract, DPH - Regents of UCSF]

Resolution authorizing the Department of Public Health, Public Health Division, to enter into subcontract in the amount of \$140,156 with the Regents of the University of California, the primary contractor, to provide support personnel for the HIV Postexposure Prophylaxis Project (PEP); retroactive to December 1, 1997. (Department of Public Health)

File 98-402, Resolution No. 259-98

Adopted.

[Contract, DPH - State Dept. of Mental Health]

Resolution authorizing the Department of Public Health, Public Health Division, Community Mental Health Services, to enter into the fiscal year 1997-98 performance contract with the State Department of Mental Health, which includes indemnification clauses and does not include patent infringement indemnification and false claims clauses. (Department of Public Health)

File 98-403, Resolution No. 260-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Bierman, Teng - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Public Transportation Commission

(Only one of the following two resolutions should be adopted.)

Question Divided; Adopted as Divided

[Public Transportation]

Resolution approving abandonment of portions of service on Lines ((42-Downtown Loop,)) 80X-Gateway Express, 81X-Caltrain Express and 82X-Levi Plaza and Presidio Express, and establishment of substitute service.

File 98-0358, Resolution No. 255-98

At the request of Supervisor Yaki, the question was divided concerning Line 42 Downtown Loop, so the matter could be considered separately; see File 98-0563.

The roll was then called on the remainder (Lines 80X, 81X and 82X) and it was adopted as divided by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Tabled as Divided

[Public Transportation]

Resolution approving abandonment of portions of service on Line 42-Downtown Loop, and establishment of substitute service.

File 98-0563, Resolution No.

Supervisor Yaki, seconded by Supervisor Ammiano, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Tabled

[Public Transportation]

Resolution disapproving abandonment of portions of service on Lines 32-Embarcadero, 42-Downtown Loop, 80X-Gateway Express, 81X-Caltrain Express and 82X-Levi Plaza and Presidio Express, and establishment of substitute service.

File 98-0359, Resolution No.

Supervisor Yaki, seconded by Supervisor Teng, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Competitive Bidding Exemption]

Ordinance waiving competitive bid and prevailing wage requirements for the Department of Parking and Traffic's award of master contract to the San Francisco Conservation Corps for maintenance services, landscape services, installation services, and conservation and recycling education. (Department of Parking and Traffic)

File 98-0363, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted

[Lease of Property]

Resolution authorizing the General Manager of the Recreation and Park Department to enter into a lease, without competitive bidding, with the Mission Economic Development Association, a not for profit corporation, for a portion of Mission Dolores Park bound by 18th Street, Church Street and 20th Street for use as a cafe, for a term of ten years and annual rent of One Dollar and a percentage of revenues to be used for improvements to the park; and adopting findings pursuant to Section 101.1 of the City Planning Code. (Supervisors Teng, Kaufman, Newsom)

File 98-0366, Resolution No. 257-98

Supervisor Medina Excused from Voting

Supervisor Medina requested to be excused from voting because of possible conflict of interest.

Supervisor Medina, seconded by Supervisor Yaki, moved to excuse Supervisor Medina from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Excused: Supervisor Medina - 1.

[Property Acquisition, Golden Gate Heights District]

Resolution authorizing acquisition of real property located in the Golden Gate Heights District identified as Assessor's Block No. 1860A Lot Nos. 20 and 21, and Assessor's Block No. 1861A Lot No. 2 for \$200,000 from Mark L. Pierce for open space purposes and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 98-0409, Resolution No. 254-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Airport Concession & Lease Agreements, Car Rental]

Resolution approving concession and lease agreements for rental car operations between Hertz Corporation, Avis Rent-A-Car System, Alamo Rent-A-Car, National Car Rental, Budget Rent-A-Car, Dollar Systems, Thrifty Car Rental and Enterprise Rent-A-Car; and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

File 98-0411, Resolution No. 261-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Appointment of President Pro Tempore

At the request of the President, Supervisor Teng assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Health, Family & Environment Committee

Passed on First Reading

[Discrimination Against Women (CEDAW)]

Ordinance amending Administrative Code setting forth the local implementation of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), designating the Commission on the Status of Women as the local agency implementing and monitoring CEDAW in San Francisco, requiring the Commission on the Status of Women to conduct gender analyses of designated departments to identify areas of discrimination against women and girls, requiring the Commission on the Status of Women to develop an action plan to redress discrimination against women and girls, and establishing a CEDAW task force to assist in implementing the ordinance; companion measure to File 98-0337. (Supervisors Kaufman, Teng, Bierman, Ammiano, Katz)

File 98-0336, Ordinance No.

(Adds Chapter 12K, Sections 12K.1 through 12K.5.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

The President resumed the Chair.

[Commission on the Status of Women]

Ordinance amending Administrative Code to conform to the changes in the 1996 Charter, to require departments to make quarterly rather than monthly reports, to authorize the Commission on the Status of Women to analyze and advise the Mayor and the Board of Supervisors on gender equity on commission and board appointments, to reorganize the section to combine all employment related powers and duties in one sub-section; to receive reports from other City departments regarding their expenditure of funds to combat violence against women, to carry out Administrative Code Section 12K implementing locally the principles of the United Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and to coordinate with other City departments and community groups to develop an integrated services plan for women and girls; companion measure to File 98-0336). (Supervisors Kaufman, Teng, Bierman, Ammiano, Katz)

File 98-0337, Ordinance No.

(Amends Sections 33.3, 33.4, 33.8; deletes Sections 33.6, 33.7, 33.9; renumbers 33.8 and 33.10.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, supports tenant owner move in legislation;
Enola Maxwell, seeking reappointment to Delinquency Prevention Commission;
Jim Berk, Salvation Army sole source contract;
Margo Christian, writer of play, WOWER Power;
Marissa Bloom, supports WOWER Power;
Annie Wood, Washington High School student, supports WOWER Power;
Emma Rankin, supports WOWER Power;
Jesus Gumban, disposition of court case;
Patricia Carey, submitting copy of information on AIDS, Department of Defense Appropriations for 1970 and alleging AIDS Virus created by Federal Government;
Rodney Talmadge, spiritual revival, diversity;
Male speaker, supports separation of church and state; Salvation Army sole source contract.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Newsom requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Running Red Light Vehicle Owner Warning Letter]

Resolution urging the Police Department to write warning letters to owners of vehicles caught running a red light when the police are unable to issue a citation because the vehicle but not the driver is identified. (Supervisors Newsom, Katz, Medina, Teng, Bierman)

File 98-0534, Resolution No. 273-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

In connection with the above item, Supervisors Katz, Medina, Teng, Bierman requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Newsom requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Tax Collector Parking Lot Concession Report]

Resolution urging the Tax Collector's office to develop a systematic approach to tracking money collected by concessionaires from existing and future parking lots, which may include requiring concessionaires to adhere to easily audited record keeping; also asking the Tax Collector for a progress report and a timeline for implementation within thirty days of the passage of this resolution. (Supervisors Newsom, Katz, Medina)

File 98-0535, Resolution No.

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Supervisor Newsom, seconded by Supervisor Teng, moved to continue consideration to April 13, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yee requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[Mental Health Division Trust Fund]

Resolution urging the City and the Department of Public Health Mental Health Division to create a trust fund which allows a portion of demonstrated savings from lower utilization of high-end services to be reinvested into prevention and early intervention programs and establishing a policy on reinvesting in our children. (Supervisor Yee)

File 98-0536, Resolution No.

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Supervisor Yee, seconded by Supervisor Teng, moved to continue consideration to April 13, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Timothy Bryan Jackson]

Resolution recognizing Timothy Bryan Jackson for his exceptional service to the guests of the Ramada Plaza Hotel International and commending him for his contributions to the City and County of San Francisco. (Supervisors Kaufman, Newsom, Medina, Teng)

File 98-0522, Resolution No. 263-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng requested to be added as co-sponsors.

[Commend Golden Gate Restaurant Association]

Resolution recognizing the Golden Gate Restaurant Association on the occasion of its 60th Anniversary and commending the Association and its members for their contributions to the economic and culinary health of San Francisco. (Supervisors Kaufman, Medina, Newsom, Teng)

File 98-0523, Resolution No. 264-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Newsom, Teng requested to be added as co-sponsors.

[Commend WOWER Power]

Resolution recognizing the members of WOWER Power for their efforts to celebrate the beginning of the Women's Rights Movement and declaring this group to be an official delegation from San Francisco to "Celebrate '98" in Seneca Falls, New York, in July of 1998. (Supervisors Kaufman, Ammiano, Bierman, Katz, Medina, Newsom, Teng, Brown)

File 98-0524, Resolution No. 265-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Newsom, Teng, Brown requested to be added as co-sponsors.

[Proclaim Occupational Therapy Month]

Resolution proclaiming the month of April 1998 as Occupational Therapy Month in San Francisco and calling upon all citizens to recognize the achievements and contributions of these valued health care professionals. (Supervisors Kaufman, Medina, Teng, Bierman)

File 98-0525, Resolution No. 266-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng, Bierman requested to be added as co-sponsors.

[Proclaim Public Safety Telecommunicators Week]

Resolution declaring the second week of April "Public Safety Telecommunicators Week." (Supervisors Medina, Teng, Bierman)

File 98-0526, Resolution No. 267-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman requested to be added as co-sponsors.

[Take Our Daughters to Work Day]

Resolution commending the Junior Achievement of the Bay Area, Inc., the Commission on the Status of Women and the Ms. Foundation for their efforts for this year's "Take Our Daughters To Work Day" and urging all City departments to encourage their staff to bring their daughters to work, to set up educational seminars for young women with departmental staff, and provide meaningful tasks for young women who come to work on April 23, 1998. (Supervisors Teng, Kaufman, Katz, Bierman, Yaki, Medina, Brown, Ammiano, Newsom, Yee)

File 98-0527, Resolution No. 268-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

[State Proposition 224, Private Contractors]

Resolution opposing California Proposition 224 (Government Cost Savings and Taxpayer Protection Amendment) relating to contracts for engineering, architectural, landscape architectural, surveying, environmental or engineering geology services. (Supervisors Kaufman, Teng, Yaki, Katz, Medina, Newsom)

File 98-0528, Resolution No. 269-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Newsom requested to be added as co-sponsors.

[Human Rights City]

Resolution declaring San Francisco as a Human Rights City and pledging to oppose any legislation or action that impinges on the fundamental rights of human beings. (Supervisors Ammiano, Bierman, Medina, Brown)

File 98-0529, Resolution No. 270-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Brown requested to be added as co-sponsors.

[Gift Acceptance/Hold Harmless Agreement]

Resolution accepting gift-in-place valued at \$200,000 for Boeddeker Park from the Rotary Club of San Francisco and authorizing the General Manager of the Recreation and Park Department to enter into an agreement indemnifying and holding harmless the Rotary Club and its members from any liability arising out of the design and construction of the gift-in-place. (Supervisors Brown, Medina, Bierman)

File 98-0531, Resolution No. 252-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Bierman requested to be added as co-sponsors.

[Commend Reverend Henry L. Davis, Jr.]

Resolution commending Reverend Henry L. Davis, Jr. on his 13th Anniversary as pastor of First Union Baptist Church. (Supervisors Brown, Medina, Teng, Bierman)

File 98-0532, Resolution No. 271-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Teng, Bierman requested to be added as co-sponsors.

[Opposing Reggie White's Remarks]

Resolution opposing the substance of Mr. Reggie White's remarks before the Wisconsin Legislature. (Supervisors Brown, Bierman, Katz, Medina, Teng)

File 98-0533, Resolution No. 272-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Teng requested to be added as co-sponsors.

[Funding for Children's Services]

Resolution encouraging the Department of Public Health, the Mayor's Office of Children, Youth and Their Families, the Department of Human Services, the Juvenile Probation Department and the San Francisco Unified School District to consider blending a portion of their local funding for children's services to leverage additional Federal Medi-Cal dollars and urging these departments to work with the Controller's Office and the Mayor's Budget Office to evaluate this approach to maximizing children's funding. (Supervisor Yee)

File 98-0537, Resolution No. 274-98

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. (Supervisors Kaufman, Ammiano, Katz, Bierman)

File 98-0543, Motion No. M98-50

(March 30, 1998 - Introduced in Board for consideration on April 6, 1998.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[CALM-Cash Assistance Linked to Medi-Cal]

Substitute ordinance amending Administrative Code by adding Article X to Chapter 20 thereto, encompassing Sections 20.100 to 20.124, to establish a Cash Assistance Program for individuals who are eligible for Medi-Cal due to age or disability, but who are not eligible for Supplemental Social Security Income (SSI) (setting operative date of June 1, 1998). Mayor Willie L. Brown, Jr.; Supervisor Teng presented. Referred to Finance Committee.

File 097-97-070.

[PAES-Personal Assisted Employment Services]

Substitute ordinance amending Administrative Code by adding Article IX to Chapter 20, encompassing Sections 20.70 to 20.93, to create the Personal Assisted Employment Services Program to provide assistance in obtaining paid employment and a cash stipend for indigent adult residents of San Francisco (setting operative date of June 1, 1998). Mayor Willie L. Brown, Jr.; Supervisor Teng presented. Referred to Finance Committee.

File 097-97-071.

[SSIP-Supplemental Security Income Pending]

Substitute ordinance amending Administrative Code by adding Article XI to Chapter 20 thereto, encompassing Sections 20.200 to 20.225, to establish a Cash Assistance Program for individuals who are applying, or have been determined eligible for Social Security Income (SSI) but who have not begun to receive payments (setting operative date of June 1, 1998). Mayor Willie L. Brown, Jr.; Supervisor Teng presented. Referred to Finance Committee.

File 097-97-072.

[General Assistance Program]

Substitute ordinance amending Administrative Code by amending Section 20.56.6 to allow for rent payments up to the eligible client's otherwise eligible total monthly income and/or assets rather than the monthly grant amount; by amending Section 20.56.11 to exclude income tax refunds and payments made under foster care or FSET/GATES Programs from the calculation of available income or resources; by adding Sections 20.56.16, 20.56.17 and 20.56.18 to comply with state law provisions regarding ineligibility for General Assistance; by amending Section 20.57 to modify the amount and computation of General Assistance grants; by amending Section 20.57.1 to provide that rent free housing shall be valued according to the income-in-kind chart in the California Code of Regulations rather than by fair market value; by adding Section 20.60.10 to make this ordinance operative upon commencement of PAES, SSIP, and CALM, and by making other amendments to change obsolete language. Mayor Willie L. Brown, Jr.; Supervisor Teng presented. Referred to Finance Committee.

File 097-97-073.

[Bicycle Transit Enhancement Plan]

Ordinance amending Traffic Code by adding Article 5C to protect integrity of existing bicycle facilities and Section 38N to prohibit parking in bicycle lanes, by amending Section 3.14 to conform to the State Vehicle Code definition of bicycle and Section 4 to conform to State Vehicle Code provisions regarding the rights and duties of bicycle riders; amending Administrative Code by adding Section 2.76

to Chapter 2 to authorize monitored bicycle parking at large public events; amending Planning Code Section 155.1 to clarify definition and obligations of responsible city official and landlord and deleting obsolete implementation schedule provisions, by adding Section 155.2 to require bicycle parking in City-owned parking facilities and privately-owned parking garages and Section 155.3 to require shower and locker facilities in new buildings and buildings undergoing major renovations, and by making findings of consistency with the priority policies of Planning Code Section 101.1; repealing Traffic Code Sections 97 and 99. Supervisors Katz, Bierman, Medina, Ammiano presented. Referred to Economic Development, Transportation and Technology Committee with request it be considered at the May 19, 1998 meeting.

File 98-0564.

[Appropriation, San Francisco General Hospital]

Ordinance appropriating \$30,000,000 to allow San Francisco General Hospital to participate in the SB 1255 Disproportionate Share Payment and Medi-Cal Graduate Medical Education Programs through the California Medical Assistance Commission during fiscal 1997-98, funded from miscellaneous Health Department revenues. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0569.

[Bicyclist Injury Reporting Hot Line]

Resolution urging the Department of Parking and Traffic to establish and provide public notice of a bicyclist injury reporting hot line which would be available for a period of at least nine months beginning on July 1, 1998. Supervisors Katz, Bierman, Medina, Ammiano presented. Referred to Economic Development, Transportation and Technology Committee with request it be considered at the May 19, 1998 meeting.

File 98-0565.

[Bicyclist Safety - No Parking Zones]

Resolution urging the Department of Parking and Traffic to work with the Department of Public works in designating No Parking Zones on certain streets during rush hour and coordinating street cleaning schedules accordingly in order to facilitate safe bicycle commuting on such streets. Supervisors Katz, Bierman, Medina, Ammiano presented. Referred to Economic Development, Transportation and Technology Committee with request it be considered at the May 19, 1998 meeting.

File 98-0566.

[Bicycle Transit Information, EIR Guidelines]

Resolution urging the Planning Department's Environmental Review Officer to take reasonable steps to ensure that, where applicable, the Planning Department's transportation guidelines for environmental review are updated and amended to include a full analysis of potential impacts to bicycle transportation. Supervisors Katz, Bierman, Medina, Ammiano presented. Referred to Economic Development, Transportation and Technology Committee with request it be considered at the May 19, 1998 meeting.

File 98-0567.

[Bicycle Reimbursement and Purchasing]

Resolution urging the Mayor to direct the Director of Human Resources as part of future contract negotiations to propose that the City should provide reimbursement for use of privately owned bicycles by City employees and officials are part of the employees' benefits and that such reimbursement should be contingent upon the use of bicycle helmets and urging the Department of Parking and Traffic to work with the City Purchaser to develop a feasibility study and purchasing plan regarding the purchase and maintenance of a pool of bicycles to be used for City business. Supervisors Katz, Bierman, Medina, Ammiano presented. Referred to Economic Development, Transportation and Technology Committee with request it be considered at the May 19, 1998 meeting.

File 98-0568.

Referred to Board

[Commend Benjamin P. Gold]

Resolution commending Benjamin P. Gold on the occasion of his 100th birthday. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 13, 1998.

File 98-0570.

[Commend Carole Migden]

Resolution honoring Assemblywoman Carole Migden for being named Rookie of the Year in the California State Legislature. Supervisors Katz, Kaufman, Newsom, Teng, Brown, Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 13, 1998.

File 98-0571.

[State Legislation, AB 2737, Housing]

Resolution supporting AB 2737, the Statewide Supportive Housing Initiative, which would provide funding for the services and operating costs of permanent, service-enriched housing that targets very low income single adults, families with the head of household having one or more disabilities, elderly people, young adults aging out of foster care and people exiting from institutional settings. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 13, 1998.

File 98-0572.

[Park Volunteers]

Resolution urging Recreation and Park Department to work with unions and trained park maintenance staff to specify a list of duties appropriate for volunteers who assist with maintenance and upkeep within our City parks. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar April 13, 1998.

File 98-0573.

[Grant - State Funds]

Resolution authorizing the Director of Public Works and the Executive Director of the Department of Parking and Traffic to execute documents necessary to apply for, accept and expend \$575,518 of Transportation Development Act (TDA) Article 3 funds for bicycle and pedestrian projects and waiving indirect costs. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0574.

Requests for Hearings:

[TCI Service]

Hearing to consider the status of various providers' efforts to extend service and expand bandwidth in San Francisco. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0441.

[Bail Amount Rates]

Hearing to consider the bail amount rates for the City and County of San Francisco. Supervisor Medina presented. Referred to Finance Committee.

File 98-0575.

[Closed Session]

Request that Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding litigation related to the owner move in legislation (Ordinance 482-97), pursuant to Government Code Section 54956.9(a). Supervisor Teng presented. At the direction of the President, scheduled for Board meeting April 13, 1998.

File 98-0576.

Motions:

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 13, 1998.

File 98-0577.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0508. [MOU, Unrepresented Employees] Substitute ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1998. (Department of Human Resources) Referred to Finance Committee.

File 98-0513. [Planning Department Fees] Ordinance amending Planning Code by repealing existing Article 3.5, converting Article 3.5A to a new Article 3.5, amending Planning Code Sections 350 through 357 to modify and eliminate certain Planning Department fees, and deleting Sections 358, the Sunset Clause; companion measure to File 98-0546. (Planning Department) (Planning Commission Resolution No. 14605 adopted March 26, 1998, approving amendments). Referred to Finance Committee.

File 98-0546. [Environmental Review Fees] Ordinance amending Administrative Code by repealing existing Section 31.46, converting Section 31.46A to a new Section 31.46, amending Section 31.46 to modify and eliminate certain Planning Department fees, and deleting Section 31.46(g), the Sunset Clause; companion measure to File 98-0513. (Planning Department) (Planning Commission Resolution No. 14605 adopted March 26, 1998, approving amendments). Referred to Finance Committee.

File 98-0550. [Amendment to MOU, Locals 250, 535, 790] Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County of San Francisco to add a 5% premium for 8202 Security Guards when performing duties of 9209 Airport Police Service Aides at the Airport effective July 1, 1998. (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0511. [Revocable Permit, Bill Graham Civic Auditorium] Resolution granting revocable permission to Spectator Management Group (SMG) to continue the temporary closure and occupancy of the north sidewalk and a portion of the street area on Hayes street, between Polk and Larkin Streets, for loading and unloading operations for events at Bill Graham Civic Auditorium (Block 812, Lot 1). (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 98-0512. [Grant - Federal Funds] Resolution authorizing the Director of Public Transportation to accept and expend \$145,797,746 in Federal FTA Section 3 Capital Assistance and \$30,782,000 in Federal Surface Transportation Program funds to acquire light rail vehicles. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

File 98-0544. [Automobile Insurance Fraud Grant] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$353,823.00 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Automobile Insurance Fraud" for the period of July 1, 1997 through June 30, 1998. (District Attorney) Referred to Housing and Neighborhood Services Committee.

File 98-0545. [Workers' Compensation Fraud Grant] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$324,920.00 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Workers' Compensation Fraud" for the period of July 1, 1997 through June 30, 1998. (District Attorney) Referred to Housing and Neighborhood Services Committee.

File 98-0547. [Private Grant - Schools Paper Recycling Program] Resolution authorizing the City Administrator of the City and County of San Francisco to accept and expend \$120,000 from the Richard and Rhoda Goldman fund. (City Administrator/Solid Waste Management Program) Referred to Health, Family and Environment Committee.

File 98-0548. [Agreement, DPH - State Dept of Mental Health] Resolution authorizing the Director of Public Health to enter into an agreement with the State Department of Mental Health to operate a Managed Mental Health Care Plan for Medi-Cal eligible residents in San Francisco City and County; approving inclusion of indemnification clause in agreement. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0549. [State Grant - Home Visiting Services] Resolution authorizing the Department of Public Health, Division of Community Health Services, to accept retroactively and expend grant funds of \$954,000 from the California Department of Social Services to provide home visiting services and to enter into an agreement which includes indemnification clauses and which does not include patent infringement indemnification and false claim clauses; waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Brown, that letter of inquiry be sent to Director, Department of Public Health to determine what role the Department has in making San Francisco a tobacco-free city and what efforts are being taken to deter teen smoking, particularly among African American teens.

By Supervisor Newsom, that City Attorney prepare ordinance amending the Municipal Code to reduce various permit, inspection and reinspection fees affecting 1,966 small businesses.

By Supervisor Newsom, that letter of inquiry be sent to Treasurer about the methods being used to ensure that the amount of businesses that are subject to the Revenue and Finance Code Sections 35, 120, 248, 249.1 and 249.7 and Health Code Sections 258, 451 and 609 are accurate and up to date.

By Supervisor Newsom, that City Attorney investigate the possibility of entering into a lawsuit against tobacco advertisers for violations of the State Business and Professional Code for noncompliance with State law (AB 752) that prohibits advertising of tobacco products within 1,000 feet of schools and playgrounds.

By Supervisor Teng, that letters of inquiry be sent to the Residential Rent Stabilization Board, Mayor's Office of Housing, Commission on Aging and Department of Planning requesting joint report, be submitted within 30 days, on information regarding current housing stock for seniors and creation of more units as follows: number of affordable housing units which were created from 1995 through 1997, including senior housing; outline of what the City can do to preserve affordable housing stock for seniors in San Francisco currently; suggestions on how San Francisco can maximize senior housing, including public and private developments.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Bella Abzug (By the entire Board)
Rose Schmelzer (Supervisor Kaufman)
Pauline Jupiter (Supervisor Ammiano)
Noel Clark (Supervisor Newsom)
Claude Gibney (Supervisor Newsom)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:18 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 18, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, April 13, 1998

Journal of Proceedings

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City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 13, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Teng, moved that the Journal of Proceedings for Monday, March 2, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Suspension of the Rules
Presentation of Guests

At the request of Supervisor Kaufman, Supervisor Yaki, seconded by Supervisor Teng, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Timothy Bryan Jackson and present him with a Certificate of Honor.

No objection and motion carried.

Supervisor Kaufman introduced and welcomed Mr. Timothy Jackson and presented him with a commendation recognizing his contributions to the City and County through his exceptional services to the guests of the Ramada Plaza Hotel and being voted as one of five employees nationwide to receive the "Personal Best Employee of the Year" award.

Mr. Jackson thanked the Board for this honor and acknowledged the staff at the Ramada Plaza Hotel for their support.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Department of Human Resources]
Ordinance appropriating \$569,464, Department of Human Resources, from the General Fund Salary Reserve, to fund labor negotiations for fiscal year 1997-98; providing for ratification of action previously taken. (Controller)

File 98-0362, Ordinance No. 133-98

Finally passed.

[Competitive Bidding Exemption]
Ordinance waiving competitive bid and prevailing wage requirements for the Department of Parking and Traffic's award of a master contract to the San Francisco Conservation Corps for maintenance services, landscape services, installation services, and conservation and recycling education. (Department of Parking and Traffic)

File 98-0363, Ordinance No. 134-98

Finally passed.

[Appropriation, Airport Commission]

Ordinance appropriating \$37,990,313, Airport Commission, for various capital improvement projects (related to the Master Plan and the development of airport infrastructure), for fiscal year 1997-98. (Controller)

File 98-0407, Ordinance No. 135-98

Finally passed.

[Appropriation, Port Commission]

Ordinance appropriating \$1,501,492, Port Commission, of San Francisco Harbor Operating Fund balance to fund the costs of various capital improvement projects (Fisherman's Wharf Plaza, landfill closure, wetland restoration, gas structure relocation, Pier 45 apron repair), for fiscal year 1997-98. (Controller)

File 98-0408, Ordinance No. 136-98

Finally passed.

Recommendations of Health, Family & Environment Committee

Finally Passed

[Discrimination Against Women (CEDAW)]

Ordinance amending Administrative Code setting forth the local implementation of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), designating the Commission on the Status of Women as the local agency implementing and monitoring CEDAW in San Francisco, requiring the Commission on the Status of Women to conduct gender analyses of designated departments to identify areas of discrimination against women and girls, requiring the Commission on the Status of Women to develop an action plan to redress discrimination against women and girls, and establishing a CEDAW task force to assist in implementing the ordinance; companion measure to File 98-0337. (Supervisors Kaufman, Teng, Bierman, Ammiano, Katz)

File 98-0336, Ordinance No. 128-98

(Adds Chapter 12K, Sections 12K.1 through 12K.5.)

Finally passed.

[Commission on the Status of Women]

Ordinance amending Administrative Code to conform to the changes in the 1996 Charter, to require departments to make quarterly rather than monthly reports to the commission, to authorize the Commission on the Status of Women to analyze and advise the Mayor and the Board of Supervisors on gender equity of commission and Board appointments, to reorganize the section to combine all employment related powers and duties in one sub-section; to receive reports from other City departments regarding their expenditure of funds to combat violence against women, to carry out Administrative Code Section 12K implementing locally the principles of the United Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and to coordinate with other City departments and community groups to develop an integrated services plan for women and girls; companion measure to File 98-0336. (Supervisors Kaufman, Teng, Bierman, Ammiano, Katz)

File 98-0337, Ordinance No. 131-98

(Amends Sections 33.3, 33.4, 33.8; deletes Sections 33.6, 33.7, 33.9; renumbers 33.8 and 33.10.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Revocable Permit, 1000 Van Ness/901 Polk Street]

Resolution granting revocable permission to DPR Construction, Inc., for a nine-month extension to temporarily close and occupy the west sidewalk and a portion of the street area on Polk Street and the south sidewalk and a portion of the street area on Myrtle Street for construction operations at 1000 Van Ness Avenue/901 Polk Street (Block 715, Lots 2 and 5). (Department of Public Works)

File 98-0401, Resolution No. 280-98

Adopted.

[FY 98/99 Standards & Training, Local Corrections]
Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department of the City and County of San Francisco to apply for, retroactively, accept and expend \$329,400.00 in funds from the State of California, Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Programs; stipulating adherence to standards for recruitment and training established by the Board of Corrections, waiving indirect costs. (Sheriff)

File 98-0479, Resolution No. 275-98

Adopted.

Recommendations of Economic Development, Transportation
and Technology Committee

Passed on First Reading

[Underground District No. 336]
Ordinance creating Underground District No. 336 in the Flint and 16th Street area. (Supervisors Medina, Bierman)

File 98-0424, Ordinance No.

Passed on first reading.

[Underground District No. 337]
Ordinance creating Underground District No. 337 in the Potomac/Waller area. (Supervisors Medina, Bierman)

File 98-0425, Ordinance No.

Passed on first reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Appropriation, Department of Parking and Traffic]
Ordinance appropriating \$1,809,941, Department of Parking and Traffic, from General Fund Reserve to fund forty-eight (48) Parking Control Officers, vehicles, equipment, materials, and contractual services for fiscal year 1997-98; companion measure to File 98-0483. (Supervisors Teng, Kaufman, Newsom)

File 98-0482, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Salary Ordinance Amendment, Department of Parking and Traffic]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Parking and Traffic, reflecting the creation of forty-eight (48) new positions, (Class 8214 Parking Control Officer and Class 8216 Senior Parking Control Officer); companion measure to File 98-0482. (Supervisors Teng, Kaufman, Newsom)

File 98-0483, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Appropriation, Department of Parking and Traffic]

Ordinance appropriating \$323,484, Department of Parking and Traffic, from Gasoline Tax Fund to extend and expand the Red Light Photo Enforcement Project for fiscal year 1997-98. (Supervisors Teng, Kaufman, Newsom, Katz)

File 98-0487, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Appropriation, Juvenile Probation Department]

Ordinance appropriating \$2,638,924, Juvenile Probation Department, of Federal Temporary Assistance to Needy Families (TANF) for salaries, fringe benefits, professional and contractual services, equipment, services of other departments (Adult Probation) and for the creation of nine (9) community based probation officer positions for fiscal year 1997-98, to provide counseling, home-based supervision, and other services for juveniles; companion measure to File 98-0507. (Controller)

File 98-0506, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Salary Ordinance Amendment, Juvenile Probation]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Juvenile Probation Department, reflecting the creation of nine (9) new positions (Class 8444 Deputy Probation Officer); companion measure to File 98-0506. (Department of Human Resources)

File 98-0507, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Public Pay Telephone Revenues]

Ordinance amending Public Works Code to increase the amount of revenues from pay telephones on public sidewalks paid to the City and County of San Francisco. (Supervisor Newsom)

File 98-0259, Ordinance No.

(Fiscal Impact.)

(Amends Section 957.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Amendment to MOU, Jail Medical Technicians]

Ordinance adopting and implementing Amendment Number 1 to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County "Y" rating the pay of 2517 Jail Medical Technicians who receive status to the classification of 2312 LVN on or before June 30, 1998 and providing for the placement of such employees at step 5 of the 2312 LVN salary schedule effective July 1, 1998. (Department of Human Resources)

File 98-0328, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted

[Parking Rates, City-Owned Parking Facilities]

Resolution approving new parking garage rates for City-owned parking facilities (California and Steiner Parking Lot, Pierce Street Garage). (Department of Parking & Traffic)

File 98-0317, Resolution No. 277-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Portsmouth Square Parking Garage Lease]

Resolution approving insertion into the Board's file (File No. 47-96-3), of a corrected second amendment to the Portsmouth Square Public Parking Lease between the City and County and the San Francisco Portsmouth Plaza Parking Corporation, which provides for quarterly rather than the annual payments of rent and strengthens the City's termination rights under the lease. (Recreation and Park Department)

File 98-0365, Resolution No. 278-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recommendations of Housing and Neighborhood Services Committee

Passed on First Reading

[Street Acceptance]

Ordinance accepting for purposes of maintenance the streets designated herein, subject to specified limitations, pursuant to California Streets and Highways Code Section 1806 and Department of Public Works Order No. 170,657. (Supervisor Teng)

File 9-97-1.1, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[Accepted Streets Official Record]

Ordinance accepting as the official record of accepted streets in the City and County, the publication entitled "City Maintained Streets," dated October 31, 1997, and as set forth in Department of Public Works Order No. 170,718, dated October 31, 1997. (Supervisor Teng)

File 9-97-3, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted

[Lease of Property, 450 Seventh Street]

Resolution authorizing a revocable license agreement for 450 Seventh Street for the Police Department; subject to certain conditions. (Real Estate Department)

File 98-0410, Resolution No. 281-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Recommendations of Economic Development, Transportation
and Technology Committee

Adopted

[Pay Telephone Bid]

Resolution urging the Department of Telecommunications and Information Services to consider consolidating pay telephones located in City buildings and on City facilities and on City sidewalks into one Invitation for Bids for pay telephone equipment and services; to issue a Request for Qualifications to determine the competitive interest in such an Invitation for Bids; to include in its

Invitation for Bids a minimum term of thirty-six months, a rate of twenty-five cents for a local call, the installation of pay telephones at all underground Muni Metro platforms, and posting of a notice discouraging criminal activity at pay telephones. (Supervisor Newsom)

File 98-0150, Resolution No. 276-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[National Historic Preservation Act Local Government]

Resolution authorizing the Mayor or his/her written designee to execute documents, agreements and memoranda of agreement on behalf of the City and County as a "Certified Local Government" under the National Historic Preservation Act, and ratifying prior acts taken by the City and County as a Certified Local Government. (Mayor Willie L. Brown, Jr.)

File 98-0391, Resolution No. 279-98

Motion to Amend Refused Adoption

Supervisor Yee, seconded by Supervisor Ammiano, moved to amend page two, line 22, after the word "CLG" and page three, line seven, after the word "affirmed" by inserting the following: "provided, however, said documents or agreements shall have first been reviewed and approved by the Landmarks Preservation Advisory Board.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Ammiano, Medina, Yee - 3.

Noes: Supervisors Bierman, Brown, Katz, Kaufman, Newsom, Teng, Yaki - 7.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Yee - 2.

[Hold Harmless Agreement]

Resolution authorizing the Port to hold the State of California harmless from all claims arising from a lease agreement between the State Lands Commission and the Port Commission for maintenance dredging. (Port)

File 98-0493, Resolution No. 282-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Appointment of President Pro Tempore

At the request of the President, Supervisor Teng assumed the Chair.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of all persons interested in or objecting to the proposed vacation of Cohen Place off Ellis Street between Leavenworth and Hyde Streets subject to a specified reservation, authorizing the lease of such property on a year-to-year basis for annual rent of \$1.00, and without competitive bidding to the 509 Cultural Center and authorizing other official actions in connection therewith.

File 98-0405

(Pursuant to Board of Supervisors Resolution No. 189-98, approved March 25, 1998.)

The privilege of the floor was granted to the following persons:

Speaking in support: Ann McGuire, Susan Gotiera, Darryl Smith, Ken Schnall, representative from Mayor's office, Tess Ventresca.

From Economic Development, Transportation and Technology Committee
Without Recommendation

Passed on First Reading

[Street Vacation]

Ordinance ordering the vacation of Cohen Place off Ellis Street between Leavenworth and Hyde Streets subject to a specified reservation, authorizing the lease of such property on a year-to-year basis for annual rent of \$1.00, and without competitive bidding to the 509 Cultural Center and authorizing other official actions in connection therewith. (Mayor Willie L. Brown, Jr.)

File 98-0405, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, repeal Owner Move In moratorium decision; accessibility, housing service;
Reuben Goodman, supports pay telephone revenue increase, urge installation of emergency 911 call box in low income neighborhoods;
Ernestine Weiss, repeal OMI moratorium decision, oppose pass through on bonds;
Carmen Ramirez, Lake Merced;
Camille, gender identity disorder;
Support appeal of eviction moratorium ruling (OMI): Katherine Alvord, Robert Reese; Raquel Fox; female speaker, Arthur Fogel, Robert Pender; Richard Riddell, Maria Supella.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Newsom requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Tax Collector Parking Lot Concession Report]

Resolution urging the Tax Collector's office to develop a systematic approach to tracking money collected by concessionaires from existing and future parking lots, which may include requiring concessionaires to adhere to easily audited record keeping; also asking the Tax Collector for a progress report and a timeline for implementation within ((thirty)) sixty days of the passage of this resolution. (Supervisors Newsom, Katz, Medina, Bierman)

File 98-0535, Resolution No.

(April 6, 1998 - Consideration continued to April 13, 1998.)

Supervisor Newsom, seconded by Supervisor Medina, moved to amend title, line six and page two, line seven by replacing "thirty" with "sixty."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yee requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Mental Health Division Trust Fund]

Resolution urging the City and the Department of Public Health Mental Health Division to create a trust fund which allows a portion of demonstrated savings from lower utilization of high-end services to be reinvested into prevention and early intervention programs and establishing a policy on reinvesting in our children. (Supervisor Yee, Brown, Medina)

File 98-0536, Resolution No.

(April 6, 1998 - Consideration continued to April 13, 1998.)

At the request of Supervisor Yee, referred to Health, Family and Environment Committee.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Appeal of Eviction Moratorium Ruling]

Resolution urging the City Attorney to file a writ with the First District Court of Appeal challenging the Honorable Judge Raymond Williamson's ruling in the case of O'Hara v. City and County of San Francisco, et al. (Supervisors Ammiano, Medina)

File 98-0579, Resolution No. 288-98

(April 8, 1998 - Referred to Board for consideration on April 13, 1998.)

Supervisors Kaufman, Newsom, Yee Excused from Voting

Supervisors Kaufman, Newsom, Yee requested to be excused from voting because of possible conflict of interest.

Supervisor Medina, seconded by Supervisor Bierman, moved to excuse Supervisors Kaufman, Newsom, Yee from voting.

Motion to excuse Supervisors Kaufman, Newsom, Yee from voting adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki - 7.

Excused: Supervisors Kaufman, Newsom, Yee - 3.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Benjamin P. Gold]

Resolution commending Benjamin P. Gold on the occasion of his 100th birthday. (Supervisors Bierman, Katz, Brown)

File 98-0570, Resolution No. 284-98

(April 6, 1998 - Introduced in Board for consideration on April 13, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Brown requested to be added as co-sponsors.

[Commend Carole Migden]

Resolution honoring Assemblywoman Carole Migden for being named Rookie of the Year in the California State Legislature. (Supervisors Katz, Kaufman, Newsom, Teng, Brown, Ammiano, Bierman, Medina)

File 98-0571, Resolution No. 285-98

(April 6, 1998 - Introduced in Board for consideration on April 13, 1998.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[State Legislation, AB 2737, Housing]

Resolution supporting AB 2737, the Statewide Supportive Housing Initiative, which would provide funding for the services and operating costs of permanent, service-enriched housing that targets very low income single adults, families with the head of household having one or more disabilities, elderly people, young adults aging out of foster care and people exiting from institutional settings. (Supervisor Bierman, Katz, Brown)

File 98-0572, Resolution No. 286-98

(April 6, 1998 - Introduced in Board for consideration on April 13, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Brown requested to be added as co-sponsors.

[Park Volunteers]

Resolution urging Recreation and Park Department to work with unions and trained park maintenance staff to specify a list of duties appropriate for volunteers who assist with maintenance and upkeep within our City parks. (Supervisors Newsom, Katz, Brown, Medina)

File 98-0573, Resolution No. 287-98

(April 6, 1998 - Introduced in Board for consideration on April 13, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Brown, Medina requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 98-0577, Motion No. M98-55

(April 6, 1998 - Introduced in Board for consideration on April 13, 1998.)

Adopted.

[Final Map]

Motion approving final map of 2712, 2714, 2716, 2718, 2720 and 2722 22nd Street, a Residential Condominium Project, being a subdivision of Lot 16 in Assessor's Block No. 4144, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0554, Motion No. M98-51

(April 2, 1998 - Referred to Board for consideration on April 13, 1998.)

Adopted.

[Final Map]

Motion approving final map of 465 10th Street, a Live/Work Condominium Project, being a subdivision of Lot 59 in Assessor's Block No. 3525, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0555, Motion No. M98-52

(April 2, 1998 - Referred to Board for consideration on April 13, 1998.)

Adopted.

[Final Map]

Motion approving final map of 124, 126, 128, 130, 132 and 134 Scott Street, a Residential Condominium Project, being a subdivision of Lot 35 in Assessor's Block No. 862, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0556, Motion No. M98-53

(April 2, 1998 - Referred to Board for consideration on April 13, 1998.)

Adopted.

[Final Map]

Motion approving final map of 3118 18th Street, a Live/Work Condominium Project, being a subdivision of Lot 28 in Assessor's Block No. 3573, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0557, Motion No. M98-54

(April 2, 1998 - Referred to Board for consideration on April 13, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring or receiving advice from the City Attorney as permitted by Government Code Section 94956.9(a) regarding the following litigation:

Kathleen O'Hara, Robert J. Garay, Sergio Iantorno, Katherine Beckwith v. San Francisco, Intervenor: Katherine Alvord, Carmen Maldonado, and Josefina Lopez, S.F. Superior Court No. 992-704 (Owner Move-In litigation);

United States House of Representatives v. United States Department of Commerce, et al., Intervenor: Several major cities, including Los Angeles, New York, San Jose, Long Beach, Oakland, Santa Clara, Alameda County, and the City and County of San Francisco, United States District Court, District of Columbia No. 1:98CV00456-RCL (Census 2000 litigation);

Air Transport Association of America v. San Francisco, U.S. District Court No. C97-1763CW (Challenge to Equal Benefits Ordinance).

Supervisors Kaufman, Newsom, Yee Excused from Voting

Supervisors Kaufman, Newsom, Yee requested to be excused from voting concerning Owner Move-In litigation because of possible conflict of interest.

Supervisor Medina, seconded by Supervisor Bierman, moved to excuse Supervisors Kaufman, Newsom, Yee from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

The roll was then called on the pending motion and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Teng, Yaki - 7.

Excused: Supervisors Kaufman, Newsom, Yee - 3.

Recess

The Board recessed at the hour of 4:07 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 4:57 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Medina, Teng, Yaki - 6.

Noted Absent: Supervisors Katz, Kaufman, Newsom, Yee - 4.

Quorum present.

Supervisor Katz was noted present at 4:59 p.m.

Supervisor Yee was noted present at 5:00 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney as permitted by Government Code Section 94956.9(a) regarding the following litigation:

Kathleen O'Hara, Robert J. Garay, Sergio Iantorno, Katherine Beckwith v. San Francisco, Intervenor: Katherine Alvord, Carmen Maldonado, and Josefina Lopez, S.F. Superior Court No. 992-704 (Owner Move-In litigation);

United States House of Representatives v. United States Department of Commerce, et al., Intervenor: Several major cities, including Los Angeles, New York, San Jose, Long Beach, Oakland, Santa Clara, Alameda County, and the City and County of San Francisco, United States District Court, District of Columbia No. 1:98CV00456-RCL (Census 2000 litigation);

Air Transport Association of America v. San Francisco, U.S. District Court No. C97-1763CW (Challenge to Equal Benefits Ordinance).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the possible litigation.

Supervisor Yaki, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Medina, Teng, Yaki, Yee - 7.

Excused: Supervisors Kaufman, Newsom, Yee - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Called from Committee; Referred to Board

[Displaced Worker Protection Act]

Ordinance amending Police Code by adding Article 33C, Sections 3300C.1 through 3300C.6, to provide for the retention of security, janitorial, buildings maintenance and non-professional health care workers when a successor contract is awarded. Called from Finance Committee by Supervisor Bierman, with direction to schedule for Board meeting of April 27, 1998.

File 121-97-010.

Referred to Committee

[Jet Skis]

Ordinance amending Police Code by adding Article 47 (Sections 47.1 through 47.8) prohibiting the operation of personal watercraft in a 1,200-foot special use area along the San Francisco shoreline, imposing other restrictions on the operation of personal watercraft and providing for public and private enforcement. Supervisors Newsom, Ammiano, Bierman, Katz, Brown presented. Referred to Health, Family and Environment Committee.

File 98-0076.

[Historic Sign District]

Substitute ordinance amending Planning Code Section 260(b) to exempt permitted historic signs from height limits; by amending Section 262 to clarify that permitted historic signs are exempt from the height limits for signs; by adding new Section 602.9 to define an historic sign and an historic sign district and renumbering the remaining sections; by amending Section 604 to allow text and graphic amendments to restore and improve historic signs; by amending Section 607 to permit historic signs to extend above a roofline; by adding Section 608.14 to establish an historic sign district and the criteria and conditions for permitting, by conditional use authorization by the Planning Commission, signs qualifying for such designation. Supervisor Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 98-0449.

[Harding Park Golf Course Fee Reduction]

Ordinance imposing a 25 percent fee reduction for members of Harding Park Men's Club and Harding Park Women's Club at Lincoln Golf Course or Sharp Golf Course during selected tee times. Supervisors Newsom, Brown presented. Referred to Parks and Recreation Committee.

File 98-0594.

[Street Cleaning Parking Violation Penalty Fee]

Ordinance amending Traffic Code Section 37(c) to increase the penalty for street cleaning parking violation (to \$30). Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0596.

[MBE/WBE/LBE Utilization Ordinance - IV]

Ordinance amending Administrative Code by amending Chapter 12D (Sections 12D.1 through 12D.20) to establish a new MBE/WBE/LBE Ordinance to (1) remedy identified discrimination against certain MBE/WBES in the City's procurement process as to prime contracting and (2) require City contracting departments to implement MBE/WBE program mandating prime contractors to use good faith efforts to use MBE/WBES when there are subcontracting opportunities in public works and professional service contracts. Supervisors Brown, Katz, Teng, Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0612.

Referred to Board

[Harding Park USGA Provisions]

Resolution urging the Recreation and Park Commission to ensure the accommodation of member golfers at Harding Park who will be displaced as a result of the USGA Open Championship Tournament and to use best efforts to verify that parking at Harding causes no permanent damage, with the hope that the course condition will improve as a result of the "open" and endorsing the use of binding mediation for this agreement with regard to extent of damages incurred. Supervisors Newsom, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0595.

Referred to Committee

[Jet Skis]

Resolution urging the City and County of San Francisco to encourage the other eight bay area counties to adopt ordinances to control the use of jet skis in their waters. Supervisors Newsom, Brown, Ammiano, Bierman, Katz presented. Referred to Health, Family and Environment Committee.

File 98-0597.

Referred to Board

[Commend Fine Arts Museum Board of Trustees]

Resolution commending the Board of Trustees of the Fine Arts Museums of San Francisco for hosting the superb exhibitions "Rhapsodies in Black: Art of the Harlem Renaissance" and "Treasures of Central African Art from the Tervuren Museum." Supervisors Brown, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0598.

[Commend Human Rights Commission LGBTH Unit]

Resolution commending the San Francisco Human Rights Commission's Lesbian Gay Bisexual Transgender and HIV Unit for their extraordinary efforts implementing the Equal Benefits Ordinance. Supervisors Katz, Ammiano, Bierman, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0599.

[Commend Attorney Efforts]

Resolution commending City Attorney Louise Renne and her team of City Attorneys and outside counsel for their extraordinary efforts in drafting and representing the City's position on the Equal Benefits Ordinance. Supervisors Katz, Ammiano, Newsom, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0600.

[Commend Therese M. Stewart]

Resolution commending City Attorney Therese M. Stewart for her extraordinary pro bono effort defending the San Francisco Equal Benefits Ordinance. Supervisors Katz, Ammiano, Newsom, Bierman, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0601.

[Commend World Arts West/Planet Dance Month]

Resolution commending World Arts West for presenting and promoting world dance and music that reflects America's diversity and proclaiming June 1998 as Planet Dance Month in San Francisco. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0602.

[Old Harbor Festival]

Resolution urging the Citizens of San Francisco to partake in the first annual celebration of the Golden Era of San Francisco -- 1870 to 1890's (Old Harbor Festival). Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0603.

[Off-Leash Dog Area, Warm Water Cove Park]

Resolution urging the Port of San Francisco, the San Francisco Bay Conservation and Development Commission (BCDC) and the Recreation and Park Department to work together to allow off-leash dogs on a portion or all of Warm Water Cove Park. Supervisors Katz, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0604.

[Organic Program Standards]

Resolution opposing the proposed United States Department of Agriculture organic program standards and urging the USDA to withdraw this proposal and work with organic farmers to create a set of high standards that reflect those already existing in California. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0605.

[Red Light Enforcement Program]

Resolution urging continued efforts in making the streets safer from red light running and commending the Department of Parking and Traffic, the Department of Public Health and the Police Department for the success of the red light camera program. Supervisors Newsom, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0607.

[Japanese Latin Americans Redress/Reparations]

Resolution urging the U.S. government to issue an official apology and restitution to the Japanese Latin Americans interned during World War II. Supervisors Yaki, Yee, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0608.

Requests for Hearings:

[Public and Private Ambulance System]

Hearing to examine the efficacy of San Francisco's public and private ambulance services. Supervisor Medina presented. Referred to Health, Family and Environment Committee.

File 98-0606.

[Bank of America/Nations Bank Merger]

Hearing to consider the Bank of America/Nations Bank merger. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0609.

Motions:

Referred to Committee

[Zoo Audit]

Motion requesting that the Zoo audit be given priority and be conducted at the earliest juncture. Supervisor Ammiano presented. Referred to Finance Committee.

File 68-0610.

Referred to Board

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. Supervisors Kaufman, Ammiano, Katz, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 20, 1998.

File 98-0611.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0558. [MOU, Fire Fighters Local 798/Bargaining Unit 1] Ordinance amending Ordinance No. 381-95 to implement the previous Amendment Number 3 to the Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County of San Francisco to be effective July 1, 1997 through June 30, 1999. (Department of Human Resources) Referred to Finance Committee.

File 98-0559. [MOU, Fire Fighters Local 798/Bargaining Unit 2] Motion amending Ordinance No. 382-95 to implement the provisions of Amendment Number 3 to the Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County of San Francisco to be effective July 1, 1997 through June 30, 1999. (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0560. [Sunol Water Temple Restoration] Resolution concurring with and supporting the Public Utilities Commission's use of the Oakland Museum Conservation Center for conservation services (Sunol Water Temple) and agreement to hold harmless and indemnify the Oakland Museum Conservation Center against all claims and waive subrogation rights. (Public Utilities Commission) Referred to Economic Development, Transportation/Technology Committee.

File 98-0561. [Acquisition of Easement from Joint Powers Board] Resolution authorizing the acquisition of a 4,315 square foot non-exclusive easement for \$27,000 from the Peninsula Corridor Joint Powers Board (JPB) for street widening purposes along the south side of Cesar Chavez Street (formerly Army Street), on a portion of Assessor Parcel No. 4349-4 and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department) Referred to Finance Committee.

File 98-0562. [Revocable Permit, 22nd-24th Mission/12th Otis Sts.] Resolution granting revocable permission to the San Francisco Art Commission to install works of art in the paving surface of bus bulbs to be constructed by MUNI on the northeasterly and southeasterly sides of Mission Street at 22nd, 23rd, and 24th Streets and at the northwesterly corner of Otis and 12th Streets and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that City Attorney prepare ordinance which would give bid preference to those employers that offer benefits to their employees; give additional bid preference to employers who offer benefits to spouses and domestic partners; instruct City departments, where possible, they are to give preference in purchasing to employers that offer benefits to spouses and domestic partners and to require quarterly reports from City departments who have purchasing discretion concerning such purchasing preference.

By Supervisor Yaki, that letter be sent to the Honorable Mayor Willie L. Brown, Jr. requesting the Mayor's Office of Economic Development conduct a series of studies on proposals to close Market Street: an economic impact study; an origin/destination analysis of Market Street users from Van Ness Avenue to Steuart Street; a survey of buildings fronting on Market Street and on the blocks and alleys adjacent to Market Street to identify vehicular access to the buildings; and a study that looks at similar vehicle restriction projects in other cities. The Supervisor will support a request for funding for such a study.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Rita Carlin Devine (Supervisor Ammiano)
Lillie B. Hill (Supervisor Brown)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:02 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 26, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, April 20, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 20, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Noted absent at first roll call:

Supervisor Katz - 1.

Quorum present.

Supervisor Katz was noted present at 2:22 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Medina, moved that the Journals of Proceedings for Monday, March 9 and March 16, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Department of Parking and Traffic]
Ordinance appropriating \$1,809,941, Department of Parking and Traffic, from General Fund Reserve to fund forty-eight (48) Parking Control Officers, vehicles, equipment, materials, and contractual services for fiscal year 1997-98; companion measure to File 98-0483. (Supervisors Teng, Kaufman, Newsom)

File 98-0482, Ordinance No. 144-98

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment, Department of Parking and Traffic]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Parking and Traffic, reflecting the creation of forty-eight (48) new positions, (Class 8214 Parking Control Officer and Class 8216 Senior Parking Control Officer); companion measure to File 98-0482. (Supervisors Teng, Kaufman, Newsom)

File 98-0483, Ordinance No. 145-98

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Parking and Traffic]
Ordinance appropriating \$323,484, Department of Parking and Traffic, from Gasoline Tax Fund to extend and expand the Red Light Photo Enforcement Project for fiscal year 1997-98. (Supervisors Teng, Kaufman, Newsom, Katz)

File 98-0487, Ordinance No. 146-98

(Fiscal Impact.)

Finally passed.

[Appropriation, Juvenile Probation Department]
Ordinance appropriating \$2,638,924, Juvenile Probation Department, of Federal Temporary Assistance to Needy Families (TANF) for salaries, fringe benefits, professional and contractual services, equipment, services of other departments (Adult Probation) and for the creation of nine (9) community based probation officer positions for fiscal year 1997-98, to provide counseling, home-based supervision, and other services for juveniles; companion measure to File 98-0507. (Controller)

File 98-0506, Ordinance No. 147-98

Finally passed.

[Salary Ordinance Amendment, Juvenile Probation]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Juvenile Probation Department, reflecting the creation of nine (9) new positions (Class 8444 Deputy Probation Officer); companion measure to File 98-0506. (Department of Human Resources)

File 98-0507, Ordinance No. 148-98

Finally passed.

[Public Pay Telephone Revenues]
Ordinance amending Public Works Code to increase the amount of revenues from pay telephones on public sidewalks paid to the City and County of San Francisco. (Supervisor Newsom)

File 98-0259, Ordinance No. 139-98

(Fiscal Impact.)

(Amends Section 957.)

Finally passed.

[Amendment to MOU, Jail Medical Technicians]
Ordinance adopting and implementing Amendment Number 1 to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County "Y" rating the pay of 2517 Jail Medical Technicians who receive status to the classification of 2312 LVN on or before June 30, 1998 and providing for the placement of such employees at step 5 of the 2312 LVN salary schedule effective July 1, 1998. (Department of Human Resources)

File 98-0328, Ordinance No. 140-98

Finally passed.

Recommendations of Economic Development, Transportation
and Technology Committee

Finally Passed

[Underground District No. 336]
Ordinance creating Underground District No. 336 in the Flint and 16th Street area. (Supervisors Medina, Bierman)

File 98-0424, Ordinance No. 142-98

Finally passed.

[Underground District No. 337]
Ordinance creating Underground District No. 337 in the Potomac/Waller area. (Supervisors Medina, Bierman)

File 98-0425, Ordinance No. 143-98

Finally passed.

From the Board with Recommendation

Finally Passed

[Street Vacation]

Ordinance ordering the vacation of Cohen Place off Ellis Street between Leavenworth and Hyde Streets subject to a specified reservation, authorizing the lease of such property on a year-to-year basis for annual rent of \$1.00, and without competitive bidding to the 509 Cultural Center and authorizing other official actions in connection therewith. (Mayor Willie L. Brown, Jr.)

File 98-0405, Ordinance No. 141-98

Finally passed.

Recommendations of Health, Family and Environment Committee

Adopted

[State Grant, STD Training Program]

Resolution authorizing the Department of Public Health, Public Health Division, Community Health and Safety, to accept retroactively and expend grant funds of \$167,680 from the California Department of Health Services to conduct a sexually transmitted disease training program and to enter into an agreement which includes indemnification and rights in data clauses and which does not include patent infringement indemnification and false claims clauses. (Department of Public Health)

File 98-0480, Resolution No. 292-98

Adopted.

[Private Grant, Mental Health Managed Care Plan]

Resolution authorizing the Department of Public Health, Community Health Services, Mental Health Branch, to accept retroactively and expend a grant of \$60,000 from the Miriam and Peter Haas Fund, for a consultant planner to assist in developing policy and programs for the mental health managed care plan; waiving indirect costs. (Department of Public Health)

File 98-0481, Resolution No. 293-98

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Street Acceptance]

Ordinance accepting for purposes of maintenance the streets designated herein, subject to specified limitations, pursuant to California Streets and Highways Code Section 1806 and Department of Public Works Order No. 170,657. (Supervisor Teng)

File 9-97-1.1, Ordinance No. 137-98

Finally passed.

[Accepted Streets Official Record]

Ordinance accepting as the official record of accepted streets in the City and County, the publication entitled "City Maintained Streets," dated October 31, 1997, and as set forth in Department of Public Works Order No. 170,718, dated October 31, 1997. (Supervisor Teng)

File 9-97-3, Ordinance No. 138-98

Finally passed.

Recommendations of Rules Committee

Passed on First Reading

[Kajima Engineering & Construction, Inc. v. CCSF]
Ordinance authorizing settlement of litigation of Kajima Engineering and Construction, Inc. against the City and County by payment of \$250,000. (City Attorney)

File 98-0488, Ordinance No.

(Superior Court No. 990-898.)

Passed on first reading.

Adopted

[Gift Acceptance, DPH-Laguna Honda Hospital]
Resolution authorizing the Department of Public Health, Laguna Honda Hospital, to accept and expend a gift of shares of stocks in the value currently estimated to be \$178,000 bequeathed to Laguna Honda Hospital from the Barbara Wylie Trust, to be expended for "the general benefit and comfort" of residents. (Department of Public Health)

File 98-0490, Resolution No. 294-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Appropriation, Department of Public Works]
Ordinance appropriating \$1,073,109, Department of Public Works, from General Fund Reserve to fund new street and sidewalk cleaning initiatives (anti-litter team program) and to create 37 new positions for fiscal year 1997-98; contingent on approval of \$5.00 increase in street cleaning parking violations; companion measure to File 98-0373. (Mayor Willie L. Brown, Jr., Supervisor Teng)

File 98-0372, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Salary Ordinance Amendment No. 19]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98) reflecting the creation of 37 new positions in the Department of Public Works; companion measure to File 98-0372. (Mayor Willie Brown, Jr., Supervisor Teng)

File 98-0373, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Adopted

[U.S. Postal Service License Renewal]
Resolution authorizing and approving a license renewal for a one rack transmitter at the Central Radio Station and antennae space at Christmas Tree Point Tower to the United States Postal Service. (Real Estate Department)

File 98-0477, Resolution No. 291-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Passed on First Reading

[MOU, Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1998. (Department of Human Resources)

File 98-0508, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Compensation]

Ordinance adopting and implementing amendment number 2 to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County to add a 5% premium for 8202 Security Guards when performing the duties of 9209 Airport Police Service Aides at the Airport, effective July 1, 1998.

File 98-0550, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

Adopted

[Health Service System Contributions]

Resolution establishing monthly contribution to be made to the Health Service Trust Fund by the City and County, Unified School District and Community College District for fiscal year 1998-99. (Department of Human Resources)

File 98-0510, Resolution No. 296-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Absent: Supervisor Katz - 1.

[Indigent Adult Programs]

Resolution approving the creation of three (3) new county programs (Personal Assisted Employment Services, County Assistance Linked to Medi-Cal and SSI Pending), to serve adult indigent San Francisco residents and changes to the existing General Assistance Program. (Mayor, Supervisor Teng)

File 107-97-4, Resolution No. 289-98

Adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Newsom, Teng, Yaki - 6.

Noes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

Passed on First Reading

[CALM-Cash Assistance Linked to Medi-Cal]

Ordinance amending Administrative Code to establish a Cash Assistance Program for individuals who are eligible for Medi-Cal due to age or disability, but who are not eligible for Supplemental Social Security Income (SSI); sets effective date of June 1, 1998. (Mayor, Supervisor Teng)

File 97-97-70, Ordinance No.

(Adds Article X to Chapter 20, encompassing Sections 20.100 to 20.124.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[PAES-Personal Assisted Employment Services]

Ordinance amending Administrative Code to create the Personal Assisted Employment Services Program to provide assistance in obtaining paid employment and a cash stipend for indigent adult residents of San Francisco; sets effective date for June 1, 1998. (Mayor, Supervisor Teng)

File 97-97-71, Ordinance No..

(Adds Article IX to Chapter 20, encompassing Sections 20.70 to 20.93.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[SSIP-Supplemental Security Income Pending]

Ordinance amending Administrative Code to establish a Cash Assistance Program for individuals who are applying, or have been determined eligible for Social Security Income (SSI) but who have not begun to receive payments; sets effective date for June 1, 1998. (Mayor, Supervisor Teng)

File 97-97-72, Ordinance No.

(Adds Article XI to Chapter 20, encompassing Sections 20.200 to 20.225.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

[General Assistance Program]

Ordinance amending Administrative Code, to allow for rent payments up to the eligible client's otherwise eligible total monthly income and or assets rather than the monthly grant amount, to exclude income tax refunds and payments made under foster care or FSET/GATES Programs from the calculation of available income or resources, to comply with state law provisions regarding ineligibility for general assistance; to modify the amount and computation of General Assistance grants, to provide that rent free housing shall be valued according to the income-in-kind chart in the California Code of Regulations rather than by fair market value, to make the grant level reduction operative upon commencement of PAES, SSIP, and CALM, and by making other amendments to change obsolete language. (Mayor, Supervisor Teng)

File 97-97-73, Ordinance No.

(Amend Sections 20.56.6, 20.56.11, 20.57, 20.57.1;
Adds Sections 20.56.16, 20.56.17, 20.56.18 and 20.60.10.)

Passed on first reading by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Newsom, Teng, Yaki - 6.

Noes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

Recommendations of Health, Family and Environment Committee

Adopted

[Supporting San Francisco Oversight]

Resolution expressing San Francisco's opposition to provisions of the draft multilateral agreement on investment or similar International agreement that could restrict San Francisco's ability to regulate within its jurisdiction, decide how to spend its procurement funds and support local economic development. (Supervisors Ammiano, Brown, Bierman, Katz, Yaki, Yee)

File 98-0242, Resolution No. 290-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisor Teng - 1.

In connection with the above item, Supervisors Katz, Yaki, Yee requested to be added as co-sponsors.

[Contract, CCSF - Paralign Revenue Management, Inc.]
Resolution authorizing the Director of Public Health and the Purchaser to retroactively execute a contract between the City and County and Paralign Revenue Management, Inc. to provide uncompensated care recovery services. (Department of Public Health)

File 98-0492, Resolution No. 295-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisor Teng - 1.

Recommendations of Rules Committee

Passed on First Reading

[Conflict of Interest Code]
Ordinance amending Administrative Code to reflect organizational changes at the Port of San Francisco. (Port)

File 98-0489, Ordinance No.

(Amends Section 58.290.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisor Teng - 1.

Adopted

[Appointments]
Resolution appointing members to the Sunshine Ordinance Task Force, terms expiring April 27, 1998, for new two year terms ending April 27, 2000. (Rules Committee)

File 98-0614, Resolution No. 308-98

(Nicole Wong, succeeding herself, Seat No. 27101, must be attorney nominated by Society of Professional Journalists;
Johnny Brannon, succeeding himself, Seat No. 27103, must be member of press or electronic media with interest in citizen access;
Robert Planthold, succeeding himself, Seat No. 27105, must be disabled/have interest in citizen access/participation in local government;
David Watkins, succeeding himself, Seat No. 27106, must be member of public with interest/experience in local government;
Nancy Sutley, succeeding herself, Seat No. 27107, must be member of public with interest/experience in local government;
Timothy Taylor, succeeding himself, Seat No. 27113, must be member of public with interest/experience in local government.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisor Teng - 1.

[Board Off Site Meeting, May 26, 1998]
Motion ordering the May 26, 1998 meeting of the Board of Supervisors be held at the Southeast Community Facility, 1800 Oakdale Avenue, Community Room in the Bayview Hunters Point Neighborhood of San Francisco at 5:00 p.m. (Supervisors Teng, Brown, Bierman)

File 98-0442, Motion No. M98-56

Adopted by the following vote:

Monday, April 20, 1998

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisor Teng - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to an amendment to the Redevelopment Plan for Western Addition Project Area A-1 (Kaiser Hospital/Geary Campus), reclassifying Lot 9 of Block 1098 from M-4 (Medium Density Residential) to Community Shopping Uses.

File 98-0494

(Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge this appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors (401 Van Ness Avenue, Room 308; San Francisco, CA 94102.) at, or prior to, the public hearing.)

The President inquired if there was anyone present who wished to speak against the above item.

There being no response, the President declared the public meeting closed.

From The Redevelopment Agency

Passed on First Reading as Amended

[Western Addition Area Redevelopment A-1 Plan]

Ordinance amending Ordinance Nos. 9708 (Series 1939), 22-61, 198-61, 9-63, 195-64, 513-81, 211-85, approving an amendment to the Redevelopment Plan for Western Addition Project Area A-1 (Kaiser Hospital/Geary Campus), located at the northwest corner of Divisadero Street and O'Farrell Street, reclassifying Lot 9 of Block 1098 from M-4 (Medium Density Residential) to Community Shopping Uses. (Redevelopment Agency)

File 98-0494, Ordinance No.

(February 24, 1998 - Redevelopment Agency Resolution 33-98 adopted, approving the proposed amendment which would provide for the clearance and redevelopment or rehabilitation of certain lands in the Project Area and the future uses of such land.)

(April 10, 1997 - The environmental effects of this proposed amendment were analyzed as part of the environmental impact report for the Kaiser Geary Campus Development Plan and the Final Environmental Impact Report was adopted.)

Supervisor Yaki, seconded by Supervisor Newsom, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Noes: Supervisors Ammiano, Bierman - 2.

Passed on first reading as amended by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 8.

Noes: Supervisors Ammiano, Bierman - 2.

ITEM REMOVED

[Sutro Tower]

An appeal on the Sutro Tower Digital Television Project Environmental Report previously scheduled for this date has been removed from the agenda because the Board of Supervisors does not now have jurisdiction. (See memorandum cited below.)

MEMORANDUM

To: Members, Board of Supervisors
From: Louise H. Renne
Re: Appeal on Sutro Tower
Date: April 20, 1998

As you know, we have advised that based on the facts now before us, the Board of Supervisors does not have jurisdiction to hear Item #19, the appeal with regard to Sutro Tower. Our opinion is based on the following:

The California Environmental Quality Act (CEQA) requires a local agency to prepare and certify an Environmental Impact Report (EIR) on any significant project. It further states that "when an Environmental Impact Report is certified by a local agency's decision-making body which is not elected, that certification may be appealed to the agency's elected decision-making body, if any". On its face, it would appear that the Board of Supervisors is an elected decision-making body, and an appeal may be taken.

However, a "decision-making body" is defined under CEQA as "any person or group of people within a public agency permitted by law to approve or disapprove the project at issue." (emphasis supplied). Since, under San Francisco law, the Board of Supervisors has no authority to approve or disapprove the Sutro Tower building permits at issue, it is not a decision-making body within the meaning of CEQA. Hence, it has no jurisdiction at this time to hear an appeal of the EIR. The situation would be different if project's approvals are sought that are within the Board's jurisdiction to approve or disapprove, such as a Master plan amendment, etc. Then the EIR would be appealable to the Board. However, when only a building permit is involved, as is the case here, the Board of Supervisors does not have jurisdiction.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Worldwind Dreamer, workfare vs. corporate welfare;
George R. Williams, supports 311 hearing;
Grace, supports Japanese Latin American Families redress;
Robert Pender, Gordon Lau, Joe Alioto, Jim Hermann;
Reuben Goodman, Police Commission hearing on prostitution;
Frank Brennan, Tenderloin environment, commend police department.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

[Harding Park USGA Provisions]

Resolution urging the Recreation and Park Commission to ensure the accommodation of member golfers at Harding Park who will be displaced as a result of the USGA Open Championship Tournament and to use best efforts to verify that parking at Harding causes no permanent damage, with the hope that the course condition will improve as a result of the Open and endorsing the use of binding ((mediation)) arbitration for this agreement with regard to extent of damages incurred. (Supervisors Newsom, Brown, Bierman, Medina)

File 98-0595, Resolution No. 297-97

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Supervisor Newsom, seconded by Supervisor Medina, moved an amendment of the whole entitled, "Resolution urging the Recreation and Park Commission to ensure the accommodation of member golfers at Harding Park who will be displaced as a result of the USGA Open Championship Tournament and to use best efforts to verify that parking at Harding causes no permanent damage, with the hope that the course condition will improve as a result of the open and endorsing the use of binding arbitration for this agreement with regard to extent of damages incurred."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Teng - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Teng - 2.

In connection with the above item, Supervisors Bierman, Medina requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Fine Arts Museum Board of Trustees]

Resolution commending the Board of Trustees of the Fine Arts Museums of San Francisco for hosting the superb exhibitions "Rhapsodies in Black: Art of the Harlem Renaissance" and "Treasures of Central African Art from the Tervuren Museum". (Supervisors Brown, Kaufman, Katz, Medina)

File 98-0598, Resolution No. 298-98

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Commend Human Rights Commission LGBTH Unit]

Resolution commending the Human Rights Commission's Lesbian Gay Bisexual Transgender and HIV Unit for their extraordinary efforts implementing the Equal Benefits Ordinance. (Supervisors Katz, Ammiano, Bierman, Newsom, Brown, Medina)

File 98-0599, Resolution No. 299-98

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

[Commend Attorney Efforts]

Resolution commending City Attorney Louise Renne and her team of City Attorneys and outside counsel for their extraordinary efforts in drafting and representing the City's position on the Equal Benefits Ordinance. (Supervisors Katz, Ammiano, Newsom, Bierman, Kaufman, Brown, Medina)

File 98-0600, Resolution No. 300-98

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

[Commend Therese M. Stewart]

Resolution commending Attorney Therese M. Stewart for her extraordinary pro bono effort defending the San Francisco Equal Benefit Ordinance. (Supervisors Katz, Ammiano, Newsom, Bierman, Kaufman, Brown, Medina)

File 98-0601, Resolution No. 301-98

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

[Commend World Arts West/Planet Dance Month]

Resolution commending World Arts West for presenting and promoting world dance and music that reflects America's diversity and proclaiming June 1998 as Planet Dance Month in San Francisco. (Supervisors Kaufman, Katz, Medina)

File 98-0602, Resolution No. 302-98

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina requested to be added as co-sponsors.

[Old Harbor Festival]

Resolution urging the Citizens of San Francisco to partake in the first annual celebration of the Golden Era of San Francisco — 1870 to 1890's (Old Harbor Festival). (Supervisors Medina, Brown, Bierman)

File 98-0603, Resolution No. 303-98

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Bierman requested to be added as co-sponsors.

[Off-Leash Dog Area, Warm Water Cove Park]

Resolution urging the Port, the San Francisco Bay Conservation and Development Commission (BCDC) and the Recreation and Park Department to work together to allow off-leash dogs on a portion or all of Warm Water Cove Park. (Supervisors Katz, Bierman, Brown, Medina)

File 98-0604, Resolution No. 304-98

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

[Organic Program Standards]

Resolution opposing the proposed United States Department of Agriculture organic program standards and urging the USDA to withdraw this proposal and work with organic farmers to create a set of high standards that reflect those already existing in California. (Supervisors Kaufman, Bierman, Katz, Brown, Medina)

File 98-0605, Resolution No. 305-98

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Brown, Medina requested to be added as co-sponsors.

[Red Light Enforcement Program]

Resolution urging continued efforts in making the streets safer from red light running and commending the Department of Parking and Traffic, the Department of Public Health and the Police Department for the success of the red light camera program. (Supervisors Newsom, Brown, Katz, Bierman, Medina)

File 98-0607, Resolution No. 306-98

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Bierman, Medina requested to be added as co-sponsors.

[Japanese Latin Americans Redress/Reparations]

Resolution urging the U.S. government to issue an official apology and restitution to the Japanese Latin Americans interned during World War II. (Supervisors Yaki, Yee, Teng, Bierman, Katz, Brown, Medina)

File 98-0608, Resolution No. 307-98

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Brown, Medina requested to be added as co-sponsors.

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. (Supervisors Kaufman, Ammiano, Katz, Bierman, Medina)

File 98-0611, Motion No. M98-57

(April 13, 1998 - Introduced in Board for consideration on April 20, 1998.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Teng - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Medina, seconded by Supervisor Newsom, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Teng - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Medina, seconded by Supervisor Newsom, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Teng - 2.

[Imperative Resolution]

Adopted

[Commend Laguna Honda Hospice/Palliative Care]

Resolution commending Laguna Honda Hospice and Palliative Care Service for their specialized holistic care for more than 900 San Francisco residents coping with incurable illness.

File 98-0634, Resolution No. 309-98

Supervisors Medina, Bierman, Brown presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Medina, Newsom, Yaki, Yee - 8.

Absent: Supervisors Kaufman, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Appropriation, Department of Public Health]

Ordinance appropriating \$15,775,056, Department of Public Health, San Francisco General Hospital and Laguna Honda Hospital, of Medical Revenues in excess of budget estimates to fund increased salaries, fringe benefits, professional services, materials, equipment and facilities maintenance and the creation of 75.70 positions for fiscal year 1997-98; companion measure to File 98-0632. RO #97234. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0631.

[Salary Ordinance Amendment, Dept of Public Health]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health-Community Health Network, reflecting the creation of 75.70 positions; companion measure to File 98-0631. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0632.

[Appropriation, Department of Public Works]

Ordinance appropriating \$22,477,779, Department of Public Works, from the General Fund Reserve to fund the construction of City Hall for fiscal year 1997-98. RO #97240. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0633.

Referred to Board

[Commemorate Israel's 50th Anniversary]

Resolution commemorating the Fiftieth Anniversary of the State of Israel's Independence. Supervisors Katz, Kaufman, Newsom, Bierman, Ammiano, Teng, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar April 27, 1998.

File 98-0635.

[Proclaim SLUG Day]

Resolution recognizing the San Francisco League of Urban Gardeners on the occasion of their Fifteenth Anniversary and declaring May 2, 1998 as SLUG Day. Supervisors Kaufman, Katz, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar April 27, 1998.

File 98-0636.

[Commend Names Project Foundation]

Resolution honoring the Names Project Foundation for their continuing work on behalf of the friends and families who have died of AIDS through the AIDS Memorial Quilt and for the inspiration and reminder of those who have passed that the quilt provides. Supervisors Teng, Katz, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar April 27, 1998.

File 98-0637.

[Proclaim Mental Health Association Day]

Resolution declaring May 19, 1998 Mental Health Association of San Francisco Day. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 27, 1998.

File 98-0638.

[Commend Martin J. Jenkins]

Resolution commending United States District Judge Martin J. Jenkins on being sworn in as a judge to the United States Northern District Court. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar April 27, 1998.

File 98-0639.

[State Legislation, SB 2199]

Resolution supporting SB 2199 (Lockyer) and its associated State Budget augmentation of \$70.3 million, which would establish and fund a fully functional adult protective services system statewide to protect seniors and prevent elder abuse. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar April 27, 1998.

File 98-0640.

[State Legislation, SB 1373]

Resolution supporting SB 1373 which calls for the Legislature to invest at least \$1.00 per capita in the arts and to increase the 1998-99 budget of the California Arts Council and each annual budget thereafter. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 27, 1998.

File 98-0641.

[Consumer Bill of Rights and Responsibilities]

Resolution supporting the Consumer Bill of Rights and Responsibilities as endorsed by President William Clinton. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar April 27, 1998.

File 98-0642.

[Child Study Center, San Francisco State University]

Resolution urging San Francisco State University to reconsider its plan to relocate the Child Study Center to a smaller facility, particularly in light of welfare reforms that will introduce many more children into the subsidized child care system. Supervisors Bierman, Ammiano, Yee, Brown, Katz, Medina, Newsom, Teng, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar April 27, 1998.

File 98-0643.

[Discrimination in Public Accommodations]

Resolution encouraging the Human Rights Commission to monitor and investigate alleged acts of discrimination in public accommodations. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar April 27, 1998.

File 98-0644.

Requests for Hearings:

[Tree Removal, Folsom Street]

Hearing to consider the Department of Public Work's proposed tree removal on Folsom Street, between Third and Fourth Streets. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0645.

[Dry Cleaners, BAAQMD Rule 1116]

Hearing to discuss the efforts of San Francisco dry cleaners to comply with the Bay Area Air Quality Management District to Rule 1116 and the BAAQMD's efforts to assist the dry cleaner business owners. Supervisor Yee presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0646.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar April 27, 1998.

File 98-0647.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0588. [Sandler v. CCSF] Ordinance approving settlement agreement in Sandler v. City and County of San Francisco. (U.S.D.C. Northern California No. C94-1334 SI). (City Attorney) Referred to Rules Committee.

File 98-0615. [Appropriation, Dept of Building Inspection] Ordinance appropriating \$67,718, Department of Building Inspection, of Building Inspection Fund balance (to enforce apartment unit conversion ordinance) for salaries, fringe benefits, equipment and services of City Attorney and the creation of one (1) position for fiscal year 1997-98; companion measure to File 98-0616. RO #97236. (Controller) Referred to Finance Committee.

File 98-0616. [Salary Ordinance Amendment, Building Inspection] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997/98), Department of Building Inspection, reflecting the creation of one (1) position, Class 6333 Senior Building Inspector; companion measure to File 98-0615. (Department of Human Resources) Referred to Finance Committee.

File 98-0617. [Robert Rene Mitchell v. CCSF, et al.] Ordinance authorizing settlement of litigation of Robert Rene Mitchell against the City and County of San Francisco, by payment of \$80,000. (Superior Court No. 979-034). (City Attorney) Referred to Rules Committee.

File 98-0618. [State Farm/Yaser v. CCSF, et al.] Ordinance authorizing settlement of litigation of State Farm Fire and Casualty Company, Sami Yaser, George Yaser and dba Fell Quality Market, against City and County of San Francisco by payment of \$135,000. (Superior Court Case No. 980-058, consolidated under Superior Court Case No. 977-008). (City Attorney) Referred to Rules Committee.

Resolutions Referred to Committee

File 98-0582. [Lease of Property, 25 Van Ness Avenue] Resolution authorizing the renewal of an existing lease of real property at 25 Van Ness Avenue with the New Conservatory Theatre Center. (Real Estate Department) Referred to Finance Committee.

File 98-0583. [Emergency Repair, Leavenworth Street] Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Leavenworth Street from Turk Street to Eddy Street - \$89,570.00. (Public Utilities Commission) Referred to Finance Committee.

File 98-0584. [Subcontract, DA - Police Officer Training] Resolution authorizing the District Attorney to retroactively contract for, accept and expend funds in the amount of Twenty-Eight Thousand Dollars (\$28,000), which includes indirect costs of One Thousand Five Hundred and Forty-Seven Dollars (\$1,547), which have been allocated from Community United Against Violence ("CUAVE"), a San Francisco-based non-profit organization, for a project entitled "D.H.S.-Funded Lesbian, Bisexual, and Transgendered Women's Project" for the twenty-four month period, July 1, 1997 through June 30, 1999. (District Attorney) Referred to Housing and Neighborhood Services Committee.

File 98-0585. [State Grant - Violence Against Women] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of \$110,000 available through the Office of Criminal Justice Planning for a project entitled "Violence Against Women Vertical Prosecution - Elder Abuse" for the twelve month period, March 1, 1998 through February 28, 1999, and waiving indirect cost due to funding constraints. (District Attorney) Referred to Housing and Neighborhood Services Committee.

File 98-0589. [Grant, Crises Counseling and Stress Management] Resolution authorizing the Department of Public Health, Public Health Division, Community Health Services Branch, Community Mental Health Services, to accept retroactively and expend grant funds of \$58,217 from the Federal Emergency Management Agency through the California Department of Mental Health Services to provide crisis counseling in emergency shelters and stress management services; waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0590. [Revocable Permit, 470 Florida Street] Resolution granting revocable permission to Project Artaud Corporation to construct an entrance including four (4) risers with handrails, wheelchair lift with an enclosure, security grille and marquee for A Traveling Jewish Theatre at 470 Florida Street (Block 3969, Lot 1) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 98-0591. [Summer Food Service Program] Resolution authorizing the Mayor to apply for, accept and expend \$696,925 from the United States Department of Agriculture (USDA) to sponsor the Summer Food Service Program for needy children. (Mayor's Office of Children, Youth, and Their Families) Referred to Health, Family and Environment Committee.

File 98-0592. [PTC Agreement, Transit Passes and Tickets] Resolution authorizing an indemnity provision agreements between the City's Public Transportation Commission and Bay Area Public Transit Operators for delivery and sale of transit passes and tickets. (Public Transportation Commission) Referred to Economic Development, Transportation and Technology Committee.

File 98-0593. [Prop J Contract, Legal Services, District Attorney] Resolution concurring with the Controller's certification that Legal Process Server Services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney) Referred to Finance Committee.

File 98-0613. [Used Oil Recycling Grant] Resolution authorizing the City Administrator or designee to accept and expend up to \$276,398 in oil recycling grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs. (City Administrator/Solid Waste Management Program) Referred to Health, Family and Environment Committee.

File 98-0619. [Sale of Surplus Property] Resolution authorizing sale of surplus property (Block 3807, Lot 12, between 7th and Carolina Streets) and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department) Referred to Finance Committee.

File 98-0620. [Sale of Surplus Property] Resolution authorizing sale of surplus City-owned property (Block 16, Lots 1 through 24, Oakdale, Stanislaus County) and confirming actions of City officials. (Real Estate Department) Referred to Finance Committee.

File 98-0621. [Fire Dept. Special Use Permit, S.F. Presidio] Resolution authorizing a special use permit at Building 1216 in the Presidio of San Francisco, for use by the Fire Department's Emergency Medical Service Division. (Real Estate Department) Referred to Finance Committee.

File 98-0625. [Lease Amendment, 44 Gough Street] Resolution authorizing amendment of an existing lease of real property at 44 Gough Street for the Department of Human Resources. (Real Estate Department) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that City Attorney prepare ordinance which would eliminate the purchase and/or use of products that contain certain targeted hazardous or toxic constituents and reduce or replace the purchase and/or use of products that contain toxic materials or have characteristics that can present a hazard to workers, the public and/or the environment (i.e., corrosivity, flammability, etc.).

By Supervisor Yee, that letter of inquiry be sent to Director of Planning concerning building permits issued in 1988, 1996 and 1997 to determine why building permits were issued instead of requiring conditional use modifications and that the Director include the ruling for requiring or not requiring conditional use modification in the case of the current Sutro Tower building permit application.

By Supervisor Yee, that letter be sent to Senator John Burton requesting examination of the practice of the Bay Area Air Quality Management District concerning dry cleaning establishments to determine why information was not distributed concerning solvent available which would help businesses comply with Rule 1116. File 98-0646.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Gordon J. Lau (By the entire Board)
Ali'iva's Meau Palega (By the entire Board)
Margaret Sloss (By Supervisor Kaufman)
Alberto Jesus Borvice (By the entire Board)
Tom Mendelke (By the entire Board)

Unanimously adopted by a rising vote.

Monday, April 20, 1998

ADJOURNMENT

There being no further business, the Board at the hour of 4:28 p.m. adjourned.

John L. Taylor, Clerk

N.8. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 8, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, April 27, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 27, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:22 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Quorum present.

COMMUNICATION

The Clerk presented the following communications:

Appointment of Supervisor Mark Leno

The Mayor has appointed and administered the oath of office to Mark Leno as member of the San Francisco Transportation Authority and member of the Board of Supervisors of the City and County of San Francisco on April 22, 1998.

By letter dated April 22, 1998, the Controller has indicated that a recorded bond is on file for each member of the Board of Supervisors.

Presentation of Guest

Supervisor Ammiano introduced and welcomed Bernadette Devlin, human rights advocate, Ireland.

Suspension of the Rules

Supervisor Ammiano, seconded by Supervisor Bierman, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mrs. Devlin.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 11.

Mrs. Devlin thanked the Board of Supervisors for its support during the years of struggle for equal rights for all people in Ireland and hopes that the City join in sharing the monumental occasion of the freedom gained in Ireland.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Department of Public Works]

Ordinance appropriating \$1,073,109, Department of Public Works, from General Fund Reserve to fund new street and sidewalk cleaning initiatives (anti-litter team program) and to create 37 new positions for fiscal year 1997-98; contingent on approval of \$5.00 increase in street cleaning parking violations; companion measure to File 98-0373. (Mayor Willie L. Brown, Jr., Supervisor Teng)

File 98-0372, Ordinance No. 153-98

Finally passed.

[Salary Ordinance Amendment No. 19]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98) reflecting the creation of 37 new positions in the Department of Public Works; companion measure to File 98-0372. (Mayor Willie Brown, Jr., Supervisor Teng)

File 98-0373, Ordinance No. 154-98

Finally passed.

[MOU, Unrepresented Employees]

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in classes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1998. (Department of Human Resources)

File 98-0508, Ordinance No. 158-98

Finally passed.

[Compensation]

Ordinance adopting and implementing amendment number 2 to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 790, 535 and 250 and the City and County to add a 5% premium for 8202 Security Guards when performing the duties of 9209 Airport Police Service Aides at the Airport, effective July 1, 1998. (Department of Human Resources)

File 98-0550, Ordinance No. 159-98

Finally passed.

Passed on First Reading

[Appropriation, Dept. of Telecommunication]

Ordinance appropriating \$75,000, Department of Telecommunication and Information Services, of Cable TV Access Fund to cover transitional expenses of public access television from TCI to San Francisco Community Television Corporation for fiscal year 1997-98. (Controller)

File 98-0486, Ordinance No.

Passed on first reading.

Adopted

[Emergency Repair, Leavenworth Street]

Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Leavenworth Street from Turk Street to Eddy Street - \$89,570.00. (Public Utilities Commission)

File 98-0583, Resolution No. 326-98

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Department of Parking and Traffic)

File 98-0501, Resolution No. 316-98

(Stop Signs - Establish

25th and Hampshire Streets, northeast and southwest corners, stopping 25th Street (makes this an all-way Stop);

Garfield and Vernon Streets, northeast and southwest corners, stopping Garfield Street (makes this an all-way Stop);

Green and Powell Streets, northwest and southeast corners, stopping Powell Street (makes this an all-way Stop);

Lois Lane and Hester Avenue, southwest corner, stopping eastbound Lois Lane (makes this uncontrolled T-intersection a one-way Stop);

Ocean Avenue and Havenside Drive, southeast corner, stopping Havenside Drive (makes this T-intersection a one-way Stop);

Rolph and Curtis Streets, southeast corner, stopping Curtis Street (makes this T-intersection a one-way Stop);

Rolph and Newton Streets, southeast corner, stopping Newton Street (makes this T-intersection a one-way Stop).)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Department of Parking and Traffic)

File 98-0502, Resolution No. 317-98

(1-Hour Parking Time Limit, 9 am - 6 pm, Monday through Saturday - Rescind
Parking Meter Area No. 3 (30-minute parking time limit, 9 am - 6 pm, Monday through Saturday) -
Establish

3rd Street, east side, between King and Townsend Streets.

2-Hour Parking Time Limit, 9 am - 6 pm, Monday through Friday - Rescind
Parking Meter Area No. 3 (1-hour parking time limit, 7 am - 6 pm, Monday through Saturday) -
Establish

3rd Street, west side, between King and Townsend Streets.

No Parking, 7 am - 6 pm, Monday through Friday - Rescind
No Parking Anytime - Establish

Stevenson Street, north side, from 10th Street to east terminus.

No Parking Anytime - Rescind
10-Minute Parking time limit, 7 am - 6 pm, Monday through Friday - Establish

Stevenson Street, south side, from 10th Street to east terminus.

Two-Hour Parking Time limit, 7 am - 6 pm, Except Sunday - Establish

Harrison Street, north side, from 9th Street to 173 feet east of Gordon Street.

Tow-Away, No Parking Anytime - Rescind

Lucerne Street, west side, from a point 193 feet south of Brannan Street to the south terminus.

Tow-Away, No Parking Anytime - Establish

Bluxome Street, north side, between 5th and 6th Streets.

No Parking Anytime - Rescind

Elk Street, west side, between Bosworth and Sussex Streets.

No Parking Anytime - Establish

Leavenworth Street, west side, between the north and south property lines of Francisco Street (opposite the stem of this T-intersection).

Perpendicular (90-Degree Angle) Parking - Establish

Bluxome Street, south side, between 5th and 6th Streets;

Williams Street, south side, from Mendell Street to 135 feet westerly (135-foot zone, including the T-intersection at Reddy Street).

Residential Permit Parking Area "I" (1-hour time limit, 9 am - 6 pm, Monday through Saturday -
Establish

21st Street, both sides, between Folsom and Shotwell Streets (easterly portion of 3000 block);

Residential Permit Parking Area "I" - Establish

22nd Street, both sides, between Mission and Capp Streets (3100 block).

Residential Permit Parking Area "J" (2-Hour Time Limit, 8 am - 5 pm, Monday through Friday) - Establish

Alma Street, both sides, between Cole and Shrader Streets (100 block).

Residential Permit Parking Area "R" (2-Hour Time Limit, 9 am - 6 pm, Monday through Saturday) - Establish

Franklin Street, east side, between Ellis and O'Farrell Streets (1000 block).

Residential Permit Parking Area "U" (1-Hour Time Limit, 8 am - 10 pm, Everyday) - Establish

Ringold Street, both sides, between 8th and 9th Streets (unit block).

Residential Permit Parking Area "U" (2-Hour time limit, 8 am - 10 pm, Monday through Friday) - Establish

Russ Street, both sides, between Howard and Folsom Streets (100 block);

(Note: Residential Permit Parking signs shall not be installed on Russ Street, west side, from Howard Street to 177 feet southerly.)

Adopted.

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets. (Department of Parking and Traffic)

File 98-0503, Resolution No. 318-98

(Tow-Away, No Stopping, except 7 am - 11 am, Monday through Friday - Rescind

Tow-Away, No Stopping, 11 am - 6 pm, Monday through Friday - Establish

Sutter Street, north side, from Grant Avenue to 150 feet westerly (150-foot zone, change in effective hours only).

Tow-Away, No Stopping anytime - Rescind

Polk Street, east side, from Turk Street to a point 41 feet north of Golden Gate Avenue (zone to be replaced by metered motorcycle parking).

Tow-Away, No Stopping, 7 am - 6 pm, Monday through Friday - Rescind

Harrison Street, north side, from 9th Street to 173 feet east of Gordon Street.

Multiple Right Turn Lanes - Establish

Harrison Street, westbound, at 9th Street.

No Left Turns, Except MUNI - Rescind

No Left Turns - Establish

9th Avenue, southbound, at Lincoln Way.

No Left Turns, Except MUNI - Establish

9th Avenue, northbound, at Lincoln Way.

No Left Turns - Establish

Masonic Avenue, northbound, approximately 200 feet north of Geary Boulevard (into private driveway).

No U-Turns - Establish

Masonic Avenue, northbound, at Euclid Avenue.

No Left Turns, 4 pm - 6 pm - Rescind

No Left Turns, 4 pm - 7 pm - Establish

Masonic Avenue, both directions, at Fulton Street (change in effective hours only);

Masonic Avenue, both directions, at Golden Gate Avenue (change in effective hours only);

Masonic Avenue, both directions, at Turk Street (change in effective hours only).

One-Way Street - Establish

Lois Lane, eastbound, between Bayshore Boulevard and Hester Avenue.

Tow-Away, No Stopping anytime - Establish

Elk Street, west side, between Bosworth and Sussex Streets.)

Adopted.

Recommendations of Rules Committee

Finally Passed

[Kajima Engineering & Construction, Inc. v. CCSF]

Ordinance authorizing settlement of litigation of Kajima Engineering and Construction, Inc. against the City and County by payment of \$250,000. (City Attorney)

File 98-0488, Ordinance No. 155-98

(Superior Court No. 990-898.)

Finally passed.

[Conflict of Interest Code]

Ordinance amending Administrative Code to reflect organizational changes at the Port of San Francisco. (Port)

File 98-0489, Ordinance No. 156-98

(Amends Section 58.290.)

Finally passed.

Recommendations of Economic Development, Transportation
and Technology Committee

Adopted

[Revocable Permit]

Resolution granting revocable permission to the Art Commission to install works of art in the paving surface of bus bulbs to be constructed by MUNI on the northeasterly and southeasterly sides of Mission Street at 22nd, 23rd, and 24th Streets and at the northwesterly corner of Otis and 12th Streets and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0562, Resolution No. 324-98

Adopted.

[Grant - State Funds]

Resolution authorizing the Director of Public Works and the Executive Director of the Department of Parking and Traffic to execute documents necessary to apply for, accept and expend \$575,518 of Transportation Development Act (TDA) Article 3 funds for bicycle and pedestrian projects and waiving indirect costs. (Supervisor Yaki)

File 98-0574, Resolution No. 325-98

(Fiscal Impact.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[CALM-Cash Assistance Linked to Medi-Cal]

Ordinance amending Administrative Code to establish a Cash Assistance Program for individuals who are eligible for Medi-Cal due to age or disability, but who are not eligible for Supplemental Social Security Income (SSI); sets effective date of June 1, 1998. (Mayor, Supervisor Teng)

File 97-97-70, Ordinance No. 149-98

(Adds Article X to Chapter 20, encompassing Sections 20.100 to 20.124.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[PAES-Personal Assisted Employment Services]

Ordinance amending Administrative Code to create the Personal Assisted Employment Services Program to provide assistance in obtaining paid employment and a cash stipend for indigent adult residents of San Francisco; sets effective date for June 1, 1998. (Mayor, Supervisor Teng)

File 97-97-71, Ordinance No. 150-98

(Adds Article IX to Chapter 20, encompassing Sections 20.70 to 20.93.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[SSIP-Supplemental Security Income Pending]

Ordinance amending Administrative Code to establish a Cash Assistance Program for individuals who are applying, or have been determined eligible for Social Security Income (SSI) but who have not begun to receive payments; sets effective date for June 1, 1998. (Mayor, Supervisor Teng)

File 97-97-72, Ordinance No. 151-98

(Adds Article XI to Chapter 20, encompassing Sections 20.200 to 20.225.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[General Assistance Program]

Ordinance amending Administrative Code, to allow for rent payments up to the eligible client's otherwise eligible total monthly income and or assets rather than the monthly grant amount, to exclude income tax refunds and payments made under foster care or FSET/GATES Programs from the calculation of available income or resources, to comply with state law provisions regarding ineligibility for general assistance; to modify the amount and computation of General Assistance grants, to provide that rent free housing shall be valued according to the income-in-kind chart in the California Code of Regulations rather than by fair market value, to make the grant level reduction operative upon commencement of PAES, SSIP, and CALM, and by making other amendments to change obsolete language. (Mayor, Supervisor Teng)

File 97-97-73, Ordinance No. 152-98

(Amend Sections 20.56.6, 20.56.11, 20.57, 20.57.1;
Adds Sections 20.56.16, 20.56.17, 20.56.18 and 20.60.10.)

Finally passed by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

From The Board

Finally Passed

[Western Addition Area Redevelopment A-1 Plan]
Ordinance amending Ordinance Nos. 9708 (Series 1939), 22-61, 198-61, 9-63, 195-64, 513-81, 211-85, approving an amendment to the Redevelopment Plan for Western Addition Project Area A-1 (Kaiser Hospital/Geary Campus), located at the northwest corner of Divisadero Street and O'Farrell Street, reclassifying Lot 9 of Block 1098 from M-4 (Medium Density Residential) to Community Shopping Uses. (Redevelopment Agency)

File 98-0494, Ordinance No. 157-98

(February 24, 1998 - Redevelopment Agency Resolution 33-98 adopted, approving the proposed amendment which would provide for the clearance and redevelopment or rehabilitation of certain lands in the Project Area and the future uses of such land.)

(April 10, 1997 - The environmental effects of this proposed amendment were analyzed as part of the Environmental Impact Report for the Kaiser Geary Campus Development Plan and the Final Environmental Impact Report was adopted.)

Finally passed by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 9.

Noes: Supervisors Ammiano, Bierman - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Design-Build/Finance Contracting Procedures]
Ordinance amending Administrative Code authorizing the directors of departments who enter into construction contracts to seek proposals from private entities for design-build construction and/or financing of public works projects where necessary or appropriate to achieve cost savings or time efficiencies, or both, provided the final agreement shall be subject to approval of the Board of Supervisors. (Mayor Willie L. Brown, Jr.; Supervisors, Kaufman, Teng, Newsom)

File 98-0450, Ordinance No.

(Adds Section 6.09.)

Passed on first reading by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Bierman, Yee - 3.

[Appropriation, San Francisco General Hospital]
Ordinance appropriating \$30,000,000 to allow San Francisco General Hospital to participate in the SB 1255 Disproportionate Share Payment and Medi-Cal Graduate Medical Education Programs through the California Medical Assistance Commission during fiscal year 1997-98, funded from miscellaneous Health Department revenues. (Mayor Willie L. Brown, Jr.; Supervisors Teng, Kaufman, Newsom, Bierman)

File 98-0569, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Economic Development, Transportation
and Technology Committee

Adopted

[Treasure Island Development Authority]
Resolution directing the Treasure Island Development Authority to adopt certain competitive bidding, competitive negotiation and conflict of interest rules; subjecting the appointment of certain members of the Authority to approval and confirmation by the Board of Supervisors; requiring that all contracts in excess of 10 years or one million dollars in revenue be approved by the Board of Supervisors;

prohibiting gambling on Treasure Island in the event the State Constitution is amended; requiring development on Treasure Island to comply with applicable City zoning and land use laws, subjecting the Authority to the City's Sunshine Ordinance; subjecting proposed contracts by the Authority to the City's non-discrimination and equal benefits ordinance; and acknowledging the applicability of the Tidelands Trust to former tide and submerged lands. (Supervisor Yaki)

File 98-0430, Resolution No. 314-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Grant - Federal Funds]

Resolution authorizing the Director of Public Transportation to accept \$145,797,746 in Federal FTA Section 3 Capital Assistance and \$30,782,000 in Federal Surface Transportation Program funds to acquire light rail vehicles. (Public Transportation Commission)

File 98-0512, Resolution No. 319-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Sunol Water Temple Restoration]

Resolution concurring with and supporting the Public Utilities Commission's use of the Oakland Museum Conservation Center for conservation services (Sunol Water Temple) and agreement to hold harmless and indemnify the Oakland Museum Conservation Center against all claims and waive subrogation rights; the conservator shall be in compliance with Chapter 12B of the Administrative Code. (Nondiscrimination in Contracts.). (Public Utilities Commission)

File 98-0560, Resolution No. 323-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Housing and Neighborhood Services Committee

Passed on First Reading

[Sidewalk Tables and Chairs Permit Enforcement]

Ordinance amending Public Works Code to authorize the Director of the Department of Public Health to assist the Director of Public Works in making determinations regarding compliance with the requirements governing the placement of tables and chairs in public rights-of-way. (Supervisor Newsom)

File 123-97-7, Ordinance No.

(Adds Section 176.6A.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Vehicle Weight Restriction]

Ordinance amending the Traffic Code, adding to the list of streets upon which a commercial vehicle weight restriction shall apply. (Department of Parking and Traffic)

File 98-0505, Ordinance No.

(Adds Section 28.5.51.)

(26th Street, between Church and Sanchez Streets.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Grant - Federal]

Resolution authorizing the Department of Human Services to retroactively, accept and expend a Federal grant in the amount of \$113,616 from the U.S. Department of Housing and Urban Development for the period of October 1, 1997, through June 30, 1998, to provide six (6) AmeriCorps participants who will provide support services for homeless families and their children at Connecting Point, the Family Housing Crisis Center, a program of compass community services, and at the Holy Family Day Home Childcare Center; and waiving indirect cost. (Department of Human Services)

File 98-0316, Resolution No. 311-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Automobile Insurance Fraud Grant]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$353,823.00 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Automobile Insurance Fraud" for the period of July 1, 1997, through June 30, 1998. (District Attorney)

File 98-0544, Resolution No. 320-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Workers' Compensation Fraud Grant]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$324,920.00 made available through the California Department of Insurance for a project entitled "The Investigation and Prosecution of Workers' Compensation Fraud" for the period of July 1, 1977, through June 30, 1998. (District Attorney)

File 98-0545, Resolution No. 321-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Liquor License Transfer, 1301 Sixth Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license, Type 9 beer and wine importer license, Type 12 distilled spirits importer license, Type 17 beer and wine wholesaler license, and Type 18 distilled spirits wholesaler license from Pier 19/The Embarcadero to Hugh deVernou for "Bercut-Vandervoort & Co.", located at 1301 Sixth Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0326, Resolution No. 312-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Liquor License, 1301 Sixth Street]

Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Hugh deVernou for "MIF San Francisco, Inc.", located at 1301 Sixth Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0327, Resolution No. 313-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Consideration Continued as Amended

[Liquor License, 621 Divisadero]

Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Randa and Talal Naser and Raed and Rajalie Salman for "Health Haven", located at 621 Divisadero, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Housing and Neighborhood Services Committee)

File 98-0368, Resolution No.

(Conditions: (1) Not more than 5 percent of the square footage of the premises will be used for the sale of alcoholic beverage. (2) No wine shall be sold with an alcoholic content greater than 15 percent by volume.)

Supervisor Medina, seconded by Supervisor Ammiano, moved to amend condition number 1, line 19, by replacing "10" with "5".

Motion to amend adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

Supervisor Brown, seconded by Supervisor Newsom, moved to continue consideration as amended to May 4, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman, Medina, Yee - 4.

Appointment of President Pro Tempore

At the request of the President, Supervisor Teng assumed the Chair.

Consideration Continued

[Liquor License Transfer, 1306 Fulton Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 5260 Diamond Heights to 1306 Fulton Street, to Musa and Khaled Dajani for "Abir's Natural Foods", will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Housing and Neighborhood Services Committee)

File 98-0419, Resolution No.

(Conditions: (1) Not more than 8 percent of the square footage of the premises will be used for the sale of alcoholic beverage. (2) No wine shall be sold with an alcoholic content greater than 15 percent by volume.)

Supervisor Newsom, seconded by Supervisor Brown, moved to continue consideration to May 4, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki - 9.

Noes: Supervisors Medina, Yee - 2.

The President resumed the Chair.

Adopted

[Liquor License Transfer, 1601 Haight Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises alcoholic beverage control license from Ed Walsh, Federal Bankruptcy Trustee, to Diane Mulligan for "Good Time Last Night, LLC", located at 1601 Haight Street, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0500, Resolution No. 315-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Liquor License Modification, 1901 McAllister Street]

Resolution modifying the conditions imposed on the Conditional Alcoholic Beverage License for Arinze G. Anoruo, dba Home Cash Market, located at 1901 McAllister Street, in accordance with Section 23804 of the Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0552, Resolution No. 322-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Called from Finance Committee by Supervisor Bierman

Consideration Continued as Amended

[Displaced Worker Protection Act]

((Ordinance amending Police Code to provide for the retention of security, janitorial, buildings maintenance and non-professional health care workers when a successor contract is awarded.)) (Supervisor Bierman)

Ordinance amending Police Code to provide for the retention of security, janitorial and building maintenance workers when a successor contract is awarded.

File 121-97-010, Ordinance No.

(Adds Article 33C, Sections 3300C.1 through 3300C.6.)

Supervisor Bierman, seconded by Supervisor Kaufman, moved an amendment of the whole entitled, "Ordinance amending Police Code to provide for the retention of security, janitorial and building maintenance workers when a successor contract is awarded."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Bierman, Yee - 3.

Supervisor Kaufman, seconded by Supervisor Newsom, moved to continue consideration as amended to May 4, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Bierman, Yee - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Martin Reed, urge creation of Commission on the Status of African Americans;
Cati Okorie, City Watch programming schedule, Unsung Heroes;
Jesus Gumban, employee dismissal case;
Male speaker, Folsom Street, tree council;
Rodney Talmidge, oppose needle exchange program;
Eva Hart;
Janine Nadine Youssopoff-Vasilielf, oppose increase in taxi permits.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Conference with City Attorney
Anticipated Litigation
As Defendant

Consideration Continued

Motion that the Board convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a defendant) related to the City's consideration of an extension of the MBE/WBE/LBE Ordinance IV, and further related to the consideration of any additional amendments to this Ordinance. This closed session would be permitted by Government Code Section 54956.9(b).

The Clerk stated that the City Attorney requested that this matter be placed on the May 4, 1998 agenda.

No objection and Clerk directed to comply.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yaki requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Child Study Center, San Francisco State University]
Resolution urging San Francisco State University to reconsider its plan to relocate the Child Study Center to a smaller facility, particularly in light of welfare reforms that will introduce many more children into the subsidized child care system. (Supervisors Bierman, Ammiano, Yee, Brown, Katz, Medina, Newsom, Teng, Yaki)

File 98-0643, Resolution No.

(April 20, 1998 - Introduced in Board for consideration on April 27, 1998.)

At the request of Supervisor Yaki, referred to Health, Family and Environment Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commemorate Israel's 50th Anniversary]
Resolution commemorating the Fiftieth Anniversary of the State of Israel's Independence. (Supervisors Katz, Kaufman, Newsom, Bierman, Ammiano, Teng, Medina, Brown)

File 98-0635, Resolution No. 327-98

(April 20, 1998 - Introduced in Board for consideration on April 27, 1998.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Proclaim SLUG Day]
Resolution recognizing the San Francisco League of Urban Gardeners on the occasion of their Fifteenth Anniversary and declaring May 2, 1998 as SLUG Day. (Supervisors Kaufman, Katz, Newsom, Bierman, Teng, Ammiano, Brown)

File 98-0636, Resolution No. 328-98

(April 20, 1998 - Introduced in Board for consideration on April 27, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Ammiano, Brown requested to be added as co-sponsors.

[Commend Names Project Foundation]

Resolution honoring the Names Project Foundation for their continuing work on behalf of the friends and families who have died of AIDS through the AIDS Memorial Quilt and for the inspiration and reminder of those who have passed that the quilt provides. (Supervisors Teng, Katz, Kaufman, Bierman, Newsom, Ammiano, Brown)

File 98-0637, Resolution No. 329-98

(April 20, 1998 - Introduced in Board for consideration on April 27, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Ammiano, Brown requested to be added as co-sponsors.

[Proclaim Mental Health Association Day]

Resolution declaring May 19, 1998 Mental Health Association of San Francisco Day. (Supervisors Bierman, Teng, Ammiano, Brown, Katz)

File 98-0638, Resolution No. 330-98

(April 20, 1998 - Introduced in Board for consideration on April 27, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Ammiano, Brown, Katz requested to be added as co-sponsors.

[Commend Martin J. Jenkins]

Resolution commending United States District Judge Martin J. Jenkins on being sworn in as a Judge to the United States Northern District Court. (Supervisors Brown, Teng, Ammiano)

File 98-0639, Resolution No. 331-98

(April 20, 1998 - Introduced in Board for consideration on April 27, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Ammiano requested to be added as co-sponsors.

[State Legislation, SB 2199]

Resolution supporting SB 2199 (Lockyer) and its associated State Budget augmentation of \$70.3 million, which would establish and fund a fully functional adult protective services system statewide to protect seniors and prevent elder abuse. (Supervisors Teng, Ammiano, Brown, Katz)

File 98-0640, Resolution No. 332-98

(April 20, 1998 - Introduced in Board for consideration on April 27, 1998.)

Adopted.

In connection with the above item, Supervisors Ammiano, Brown, Katz requested to be added as co-sponsors.

[State Legislation, SB 1373]

Resolution supporting SB 1373 which calls for the Legislature to invest at least \$1.00 per capita in the arts and to increase the 1998-99 budget of the California Arts Council and each annual budget thereafter. (Supervisors Bierman, Newsom, Ammiano, Katz)

File 98-0641, Resolution No. 333-98

(April 20, 1998 - Introduced in Board for consideration on April 27, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Ammiano, Katz requested to be added as co-sponsors.

[Consumer Bill of Rights and Responsibilities]

Resolution supporting the Consumer Bill of Rights and Responsibilities as endorsed by President William Clinton. (Supervisors Bierman, Ammiano, Brown, Katz)

File 98-0642, Resolution No. 334-98

(April 20, 1998 - Introduced in Board for consideration on April 27, 1998.)

Adopted.

In connection with the above item, Supervisors Ammiano, Brown, Katz requested to be added as co-sponsors.

[Discrimination in Public Accommodations]

Resolution encouraging the Human Rights Commission to monitor and investigate alleged acts of discrimination in public accommodations. (Supervisors Brown, Teng, Ammiano, Katz)

File 98-0644, Resolution No. 335-98

(April 20, 1998 - Introduced in Board for consideration on April 27, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Ammiano, Katz requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee)

File 98-0647, Motion No. M98-60

(April 20, 1998 - Introduced in Board for consideration on April 27, 1998.)

Adopted.

[Final Map]

Motion approving final map of 1317 Hyde Street, a Residential Condominium Project, being a subdivision of Lot 3 in Assessor's Block No. 217, and adopting findings pursuant to Planning Code Section 101.1. (Supervisor Ammiano)

File 98-0629, Motion No. M98-58

(April 17, 1998 - Referred to Board for consideration on April 27, 1998.)

Adopted.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

[Final Map]

Motion approving final map of 999 16th Street, a Live/Work Condominium Project, being a subdivision of Lot 5 in Assessor's Block No. 3950, and adopting findings pursuant to Planning Code Section 101.1. (Supervisor Ammiano)

File 98-0630, Motion No. M98-59

(April 17, 1998 - Referred to Board for consideration on April 27, 1998.)

Adopted.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Yaki, Yee - 10.

Absent: Supervisor Teng - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Bond Pass Through]

Substitute ordinance amending Administrative Code Sections 37.2, 37.3 and 37.8 to permit landlords to pass through to tenants any increase in the property tax rate imposed as a result of a ballot measure approved by the voters between November, 1996 and November, 1998. Supervisors Yaki, Teng, Bierman, Brown, Yee, Kaufman presented. Referred to Finance Committee.

File 000-98-0521.

[First Source Ordinance]

Ordinance amending Administrative Code by adding Chapter 83, Sections 83.1 through 83.18, to establish specific requirements, procedures and monitoring for first source hiring of qualified economically disadvantaged individuals for entry level positions, applicable to city contracts, city property contracts and building permits and planning approvals for commercial development projects. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0663.

[Municipal Elections Code]

Ordinance amending Elections Code Sections 830 and 840 to reduce the fee for publication of ballot arguments in the voter information pamphlet from \$200 plus \$3 per word to \$200 plus \$2 per word and increase the value of signatures submitted in lieu of fees from \$.25 per signature to \$.50 per signature. Supervisor Yee presented. Referred to Finance Committee.

File 98-0664.

[Non-Profit Organizations, Public Access]

Draft ordinance amending Administrative Code by adding Chapter 12K, Sections 12K.1 through 12K.9, to create requirements in contracts between the City and non-profit organizations that ensure public access to records and meetings of the Board of Directors of the non-profit organization and by amending Section 67.30 by adding subsection 67.30(D) to specify the powers possessed by the Sunshine Ordinance Task Force. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-0666.

[Non-Profit Organizations]

Draft resolution requesting the City's agencies and departments to provide information to the Board of Supervisors relating to contract monitoring procedures and provisions in contracts with non-profit organizations in order to determine whether and how such procedures and provisions should be standardized; companion measure to File 98-0666. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-0665.

Referred to Board

[Commend National Women's Political Caucus]

Resolution commending the California Chapter of the National Women's Political Caucus on its 25th Anniversary. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 4, 1998.

File 98-0667.

[Commend Bar Harbor, Maine]

Resolution commending Bar Harbor, Maine, for banning discrimination based on sexual orientation in housing, employment, or credit and urging other communities in the state to follow suit. Supervisors Leno, Katz, Ammiano, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 4, 1998.

File 98-0668.

[Commend Roberto Talavera]

Resolution commending Mr. Roberto Talavera for 27 years of service to the Board of Directors at the Mission Housing Development Corporation. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 4, 1998.

File 98-0669.

[Commend Asian Pacific American Heritage Month]

Resolution commending "Asian Pacific American Heritage Month," declaring May 1998 as "Asian Pacific American Heritage Month" in the City and County of San Francisco, and welcoming the art exhibition of calligraphy master Jue Wan Chin to City Hall. Supervisors Teng, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 4, 1998.

File 98-0670.

[Commend Ontario Court of Appeal]

Resolution commending Canadian Court that ruled that spouses can be of the same sex. Supervisors Amiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 4, 1998.

File 98-0671.

[State Legislation, AB 1663]

Resolution urging the California State Legislature and Governor Pete Wilson to approve Assembly Bill 1663. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar May 4, 1998.

File 98-0672.

[Federal Legislation, S 600]

Resolution urging the United States Congress to enact into law Senate bill 600 - The Personal Information Privacy Act of 1997, which limits the accessibility and unauthorized commercial use - specifically on the Internet - of Social Security numbers, unlisted telephone numbers, and certain other types of sensitive personal information. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 4, 1998.

File 98-0673.

[State Legislation, AB 2806]

Resolution urging that the City and County of San Francisco support AB 2806, establishing as State policy that each court shall endeavor to provide a children's waiting room in each courthouse for children whose parents or guardians are attending a court hearing. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar May 4, 1998.

File 98-0674.

[Disaster Relief Funding]

Resolution authorizing designated City and County officials to execute and file, on behalf of the City and County of San Francisco, an application for federal and/or state financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the 1998 winter storms. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 4, 1998.

File 98-0675.

[Job Creation Investment Fund Grant]

Resolution authorizing the Mayor's Office of Economic Development to represent the City and County of San Francisco to apply for, accept and expend a grant from the California Trade and Commerce Agency's Job Creation Investment Fund program. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar May 4, 1998.

File 98-0676.

Referred to Committee

[Tobacco Paraphernalia Interim Zoning Control]

Resolution extending Interim Zoning Controls for an additional six month period to prohibit temporarily the establishment of new enterprises that sell tobacco paraphernalia and making a findings of consistency with the priority policies of Planning Code Section 101.1. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0677.

[Sutro Tower Dynamic Analysis]

Resolution directing the Director of the Department of Building Inspection to require Sutro Tower, Inc. to perform a full dynamic analysis of Sutro Tower and report the results to the Board of Supervisors before construction of any additional structures to the tower. Supervisors Bierman, Ammiano, Yee presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0678.

[Ombudsprogram, General Assistance]

Resolution supporting the concept of City and County ombudsprogram to advocate for general assistance and indigent adult program recipients. Supervisor Brown presented. Referred to Finance Committee.

File 98-0683.

Requests for Hearings:

[Transfer of Housing Authority To City]

Hearing to consider the transfer of the Housing Authority from HUD back to local control, specifically as it relates to the problem of racially and ethnically motivated violence at Housing Authority developments. Supervisor Yee presented. Referred to Housing and Neighborhood Services Committee.

File 206-97-009.

[Use of City Owned Property Beside Schools]

Hearing to consider multi-use of land located beside schools at night and on weekends by the general public. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-0679.

[Geneva Towers Demolition]

Hearing to consider what steps can be taken to ameliorate the adverse environmental impact surrounding the demolition of the Geneva Towers. Supervisor Brown presented. Referred to Health, Family and Environment Committee.

File 98-0680.

[General Assistance Update]

Hearing to consider bi-annual update on the status of the revised general assistance programs, including but not limited to the job training programs and number of programs available to GA recipients. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0681.

Motions:

Referred to Committee

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. Supervisors Kaufman, Ammiano, Katz, Bierman, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 4, 1998.

File 98-0682.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0651. [Parking Meter Rates] Ordinance amending Traffic Code by amending Sections 203.1 through 203.4, inclusive, relating to parking meter rates (15-minute meters). (Department of Parking and Traffic) Referred to Finance Committee.

File 98-0652. [Wayne Quan, v. CCSF, et al.] Ordinance authorizing settlement of litigation of Wayne Quan against James Robinson and the City and County of San Francisco by payment of \$45,000.00 (Superior Court No. 981-627). (City Attorney) Referred to Rules Committee.

Resolutions Referred to Committee

File 98-0626. [Emergency Repair, Church Street Sewer] Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Church Street from 19th Street to Hancock Street - \$104,076.00. (Public Utilities Commission) Referred to Finance Committee.

File 98-0648. [Private Grant, Dental Health Foundation] Resolution authorizing the Department of Public Health, Public Health Division, Community Health Promotion and Prevention, to accept retroactively and expend grant funds of \$63,295 from the Dental Health Foundation to provide school-based dental screenings and sealants, and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0656. [Lease Amendment, 680 Eighth Street] Resolution authorizing an amendment to a lease of real property at 680 Eighth Street, San Francisco, for the Department of Public Health. (Real Estate Department) Referred to Finance Committee.

File 98-0657. [Lease of Property, 3801 Third Street] Resolution authorizing a lease of real property at 3801 Third Street, San Francisco, for the Department of Public Health. (Real Estate Department) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Medina, that City Attorney prepare ordinance based on Senate bill 600, The Personal Information Privacy Act of 1997, which limits the accessibility and unauthorized commercial use, specifically on the internet, of social security numbers, unlisted telephone numbers and certain other types of sensitive personal information.

By Supervisor Newsom, that letter of inquiry be sent to Director, Public Utilities Commission, concerning solar heating systems and solar electricity generation to request information on whether City managed buildings have such systems and the feasibility of installing either one at City Hall and other government buildings.

By Supervisor Teng, that City Attorney prepare legislation to enact High Quality Child Care Fund which would earmark \$2 million for quality enhancement, establish an advisory committee staffed by the Mayor's Office of Children, Youth and their Families Starting Points Initiative to make recommendations on the priorities of child care strategies (mental health services and consultation in child care, needs of family child care and licensed-exempt providers, immigrant children and children from disadvantaged families and communities).

By Supervisor Brown, that letter be sent to Department of Housing and Urban Development concerning demolition of Geneva Towers to determine the name of the person in charge of the demolition and who to contact for information, name of general contractor responsible for the project and his contact person, time frame for the project's completion and the specific engineering or technical reason why the community surrounding the project must be subjected to the noise and air pollution generated by jackhammers and other heavy equipment operating six days a week.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Krikor Krouzian (Supervisor Kaufman)
Elaine Shragge (Supervisor Kaufman)
Bill May (By the entire Board)
Jerry Terranova (Supervisor Ammiano)
Lynne Marie Petersen (Supervisor Katz)
Pamela Melillo (Supervisor Katz)

Unanimously adopted by a rising vote.

Monday, April 27, 1998

ADJOURNMENT

There being no further business, the Board at the hour of 4:33 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 29, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, May 4, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 4, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:05 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Quorum present.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Yaki, moved that the Journal of Proceedings for Monday, March 23, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

Recommendations of Finance Committee

Finally Passed

[Appropriation, Dept. of Telecommunication]
Ordinance appropriating \$75,000, Department of Telecommunication and Information Services, of Cable TV Access Fund to cover transitional expenses of public access television from TCI to San Francisco Community Television Corporation for fiscal year 1997-98. (Controller)

File 98-0486, Ordinance No. 162-98

Finally passed.

[Appropriation, San Francisco General Hospital]
Ordinance appropriating \$30,000,000 to allow San Francisco General Hospital to participate in the SB 1255 Disproportionate Share Payment and Medi-Cal Graduate Medical Education Programs through the California Medical Assistance Commission during fiscal 1997-98, funded from miscellaneous Health Department revenues. (Mayor Willie L. Brown, Jr.; Supervisors Teng, Kaufman, Newsom, Bierman)

File 98-0569, Ordinance No. 164-98

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Finally Passed

[Sidewalk Tables and Chairs Permit Enforcement]
Ordinance amending Public Works Code to authorize the Director of the Department of Public Health to assist the Director of Public Works in making determinations regarding compliance with the requirements

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governing the placement of tables and chairs in public rights-of-way. (Supervisor Newsom)

File 123-97-7, Ordinance No. 160-98

(Adds Section 176.6A.)

Finally passed.

[Vehicle Weight Restriction]

Ordinance amending the Traffic Code, adding to the list of streets upon which a commercial vehicle weight restriction shall apply. (Department of Parking and Traffic)

File 98-0505, Ordinance No. 163-98

(Adds Section 28.5.51.)

(26th Street, between Church and Sanchez Streets.)

Finally passed.

Recommendations of Health, Family & Environment Committee

Adopted

[Private Grant - Schools Paper Recycling Program]

Resolution authorizing the City Administrator to accept and expend \$120,000 from the Richard and Rhoda Goldman Fund. (City Administrator/Solid Waste Management Program)

File 98-0547, Resolution No. 344-98

Adopted.

[Agreement, DPH - State Dept of Mental Health]

Resolution authorizing the Director of Public Health to retroactively enter into an agreement with the State Department of Mental Health to operate a Managed Mental Health Care Plan for Medi-Cal eligible residents in San Francisco; approving inclusion of indemnification clause in agreement. (Department of Public Health)

File 98-0548, Resolution No. 345-98

Adopted.

Recommendations of Rules Committee

Passed on First Reading

[Sandler v. CCSF]

Ordinance approving settlement agreement in Sandler v. City and County. (City Attorney)

File 98-0588, Ordinance No.

(U.S.D.C. Northern California No. C94-1334 SI.)

Passed on first reading.

[Robert Rene Mitchell v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Robert Rene Mitchell against the City and County, by payment of \$80,000. (City Attorney)

File 98-0617, Ordinance No.

(Superior Court No. 979-034.)

Passed on first reading.

[State Farm/Yaser v. CCSF, et al.]

Ordinance authorizing settlement of litigation of State Farm Fire and Casualty Company, Sami Yaser, George Yaser and dba Fell Quality Market, against City and County by payment of \$135,000. (City Attorney)

File 98-0618, Ordinance No.

Monday, May 4, 1998

(Superior Court Case No. 980-058, consolidated under Superior Court Case No. 977-008.)

Passed on first reading.

Adopted

[Appointment]

Resolution appointing member to the Lead Hazard Reduction Citizens Advisory Committee, term expired, for new four-year term ending December 22, 2001. (Rules Committee)

File 98-0684, Resolution No. 356-98

(Curt Cournale, succeeding Bartholomew Murphy, Seat No. 26710, must be residential owner.)

Adopted.

[Appointment]

Resolution appointing member to the Adult Day Health Care Planning Council, for a new three-year term ending September 30, 2000. (Rules Committee)

File 92-97-41, Resolution No. 338-98

(Cheryl Damico, succeeding Michael Kwok, Seat No. 20016, must be a functionally impaired adult, term expired.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Design-Build/Finance Contracting Procedures]

Ordinance amending Administrative Code authorizing the directors of departments who enter into construction contracts to seek proposals from private entities for design-build construction and/or financing of public works projects where necessary or appropriate to achieve cost savings or time efficiencies, or both, provided the final agreement shall be subject to approval of the Board of Supervisors. (Mayor Willie L. Brown, Jr.; Supervisors Kaufman, Teng, Newsom)

File 98-0450, Ordinance No. 161-98

(Adds Section 6.09.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 9.

Noes: Supervisors Ammiano, Yee - 2.

Recommendations of Housing and Neighborhood Services Committee

Adopted as Amended

[Liquor License, 621 Divisadero]

Resolution determining that the issuance of a Type 20 off-sale beer and wine alcoholic beverage control license to Randa and Talal Naser and Raed and Rajalie Salman for "Health Haven", located at 621 Divisadero, will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Housing and Neighborhood Services Committee)

File 98-0368, Resolution No. 340-98

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(Conditions: (1) Not more than 5 percent of the square footage of the premises will be used for the sale of alcoholic beverage. (2) No wine shall be sold with an alcoholic content greater than 15 percent by volume. (3) Wines and beer sold under this license shall be organic wines and beers.)

(April 27, 1998 - Consideration continued as amended to May 4, 1998.)

Supervisor Newsom, seconded by Supervisor Brown, moved to amend line 3 by adding the following condition: "(3) Wines and beer sold under this license shall be organic wines and beers."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Liquor License Transfer, 1306 Fulton Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 5260 Diamond Heights to 1306 Fulton Street, to Musa and Khaled Dajani for "Abir's Natural Foods", will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions. (Housing and Neighborhood Services Committee)

File 98-0419, Resolution No. 341-98

(Conditions: (1) Not more than 8 percent of the square footage of the premises will be used for the sale of alcoholic beverage. (2) No wine shall be sold with an alcoholic content greater than 15 percent by volume.)

(April 27, 1998 - Consideration continued to May 4, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Called from Finance Committee by Supervisor Bierman

Passed for Second Reading as Amended

[Displaced Worker Protection Act]

((Ordinance amending Police Code to provide for the retention of security, janitorial and building maintenance workers when a successor contract is awarded.)) (Supervisor Bierman)

Ordinance amending Police Code to provide for the retention of security and janitorial or building maintenance workers when a successor contract is awarded.

File 121-97-010, Ordinance No.

(Adds Article 33C, Sections 3300C.1 through 3300C.6.)

(April 27, 1998 - Consideration continued as amended to May 4, 1998.)

Supervisor Bierman, seconded by Supervisor Ammiano, moved to amend title, line four by changing "security, janitorial, and" to read "security and janitorial or"; amend page one, lines 24 and 25 by deleting "under service contracts with the awarding authority".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Supervisor Katz, seconded by Supervisor Brown, moved to amend page two, between lines 11 and 12, by inserting a new "e" to read: "(e) "Public sector contractor" means any person or persons, firm, partnership, corporation, or combination thereof, who enters into a contract with officers or employees empowered by law to enter into contracts for the City and County of San Francisco for the services governed by this Article." and renumber remaining items starting with "e" to "f", "g" and "h"; amend page three, line 22 by replacing "the" with "a" and inserting "public sector" before "contractor"; amend page three, lines 23 and 24 by inserting "public sector" before "contractor"; amend page four,

line 11 by replacing "the" with "a" and inserting "public sector" before "contractor"; amend page four, line 14 by inserting "public sector" before "contractor"; page four, line 15 by inserting "public sector" before "successor".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Noes: Supervisors Kaufman, Newsom, Yee - 3.

The roll was then called on the proposed ordinance and it was passed on first reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Noes: Supervisors Kaufman, Newsom, Yee - 3.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Appropriation, Mayor's Office]

Ordinance appropriating \$20,120,317, Mayor's Office, of bond proceeds and interest income for the cost of implementation of Affordable Housing and Home Ownership Program for Fiscal Year 1997-98. (Supervisor Brown)

File 98-0421, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

(Supervisor Newsom excused from voting in Committee.)

[Environmental Review Fees]

Ordinance amending Administrative Code, to modify and eliminate certain Planning Department fees, and deleting Section 31.46(g), the sunset clause. (Planning Department)

File 98-0546, Ordinance No.

(Fiscal Impact.)

(Repeals existing Section 31.46, converting Section 31.46A, to a new Section 31.46; Amends Section 31.46 and deletes Section 31.46(g).)

(Planning Commission Resolution No. 14605 adopted March 26, 1998, approving amendments.)

Supervisor Newsom Excused from Voting

Supervisor Newsom requested to be excused from voting because of possible conflict of interest.

Supervisor Yaki, seconded by Supervisor Katz, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

The roll was then called on the pending ordinance and it was passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Excused: Supervisor Newsom - 1.

(Supervisor Newsom excused from voting in Committee.)

[Planning Department Fees]

Ordinance amending Planning Code to modify and eliminate certain Planning Department fees, and deleting Section 358, the Sunset Clause. (Planning Department)

File 98-0513, Ordinance No.

(Fiscal Impact.)

(Repeals existing Article 3.5, converting Article 3.5A to a new Article 3.5; Amends Sections 350 through 357 and deletes Section 358.)

(Planning Commission Resolution No. 14605, adopted March 26, 1998, approving amendments.)

Supervisor Newsom Excused from Voting

Supervisor Newsom requested to be excused from voting because of possible conflict of interest.

Supervisor Yaki, seconded by Supervisor Katz, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Excused: Supervisor Newsom - 1.

[MOU-Fire Fighters Local 798/Bargaining Unit 1]

Ordinance amending Ordinance No. 381-95 to implement the previous Amendment Number 3 to the Memorandum of Understanding between the Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County to be effective July 1, 1997 through June 30, 1999. (Department of Human Resources)

File 98-0558, Ordinance No.

(Fiscal Impact.)

Passed on first by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[MOU, Fire Fighters Local 798/Bargaining Unit 2]

Ordinance amending Ordinance No. 382-95 to implement the provisions of Amendment Number 3 to the Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County to be effective July 1, 1997 through June 30, 1999. (Department of Human Resources)

File 98-0559, Ordinance No.

(Fiscal Impact.)

Passed on first by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Street Cleaning Parking Violation Penalty Fee]

Ordinance amending Traffic Code to increase the penalty for street cleaning parking violation (to \$30). (Mayor Willie L. Brown, Jr.)

File 98-0596, Ordinance No.

(Fiscal Impact.)

(Amends Section 37(c).)

Passed on first by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Joint Fundraising Drive Participants]
Resolution designating those agencies qualified to participate in the 1998 Annual Joint Fundraising Drive for officers and employees of the City and County. (Finance Committee)

File 98-0220, Resolution No. 339-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Naturalization Application Processing]
Resolution approving the assignment of full-time City employees on paid status for periods of six months per employee to assist the Immigration and Naturalization Service to process the current backlog of naturalization applications for a period of not more than one year and authorizing the assignment of City employees on paid status to provide assistance to the Immigration and Naturalization Service at the regular Tuesday morning naturalization ceremonies. (Supervisors Teng, Kaufman, Newsom, Bierman, Brown, Katz, Leno, Medina, Yaki, Ammiano)

File 98-0466, Resolution No. 343-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Ammiano requested to be added as co-sponsor.

Recommendations of Health, Family & Environment Committee

Passed on First Reading

[Task Force]
Ordinance amending Administrative Code to establish and delegate to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force the ability to investigate City departments' implementation of the 1996 San Francisco Human Rights Commission's recommendations regarding the needs of lesbian, gay, bisexual, transgender, queer and questioning youth, and to provide that the task force shall cease to exist on June 30, 1999. (Supervisors Ammiano, Katz, Bierman, Medina, Newsom, Yaki, Yee)

File 98-0225, Ordinance No.

(Adds Sections 30.01 - 30.03.)

Passed on first by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Health and Environment Resource Center]
Resolution supporting the creation of a Health and Environment Resource Center in the Bayview/Hunters Point community, as proposed by the Health Commission, acknowledging the need for additional funding for the project and requesting the Department of Public Health submit a detailed outline of the scope of work and a time line. (Supervisors Bierman, Ammiano, Brown, Katz, Teng, Medina, Newsom)

File 98-0463, Resolution No. 342-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Katz, Teng, Medina, Newsom requested to be added as co-sponsors.

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[State Grant - Home Visiting Services]

Resolution authorizing the Director of Public Health, Division of Community Health Services, to accept retroactively and expend grant funds of \$954,000 from the California Department of Social Services to provide home visiting services and to enter into an agreement which includes indemnification clause and which does not include patent infringement indemnification and false claim clauses; waiving indirect costs. (Department of Public Health)

File 98-0549, Resolution No. 346-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

SPECIAL ORDER 3:00 P.M.

Report Received

[State of the City's Health Address]

Presentation by the Director of Public Health on the State of the City's Health. (Supervisor Kaufman)

File 98-0475

Dr. Mitchell H. Katz appeared and presented the 1998 State of the City Public Health Address. He indicated it is the mission of the San Francisco Department of Public Health to set health policies, enforce regulations and ensure provision of basic health services which promote the best possible state of physical and mental health to all San Franciscans.

A copy of his complete address is on file with the Clerk of the Board of Supervisors in File 98-0475.

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Emperor Arcadia, environment;
Male speaker, job discrimination.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Conference with City Attorney
Anticipated Litigation
As Defendant

Tabled

Motion that the Board convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a defendant) related to the City's consideration of an extension of the MBE/WBE/LBE Ordinance III any additional amendments to this Ordinance, and the consideration of MBE/WBE/LBE Ordinance IV. This closed session would be permitted by Government Code Section 54956.9(b).

Supervisor Yaki, seconded by Supervisor Leno, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yaki requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Job Creation Investment Fund Grant]

Resolution authorizing the Mayor's Office of Economic Development to represent the City and County to apply for retroactive to April 30, 1998, accept and expend a grant from the California Trade and Commerce Agency's Job Creation Investment Fund program. (Supervisors Yaki, Bierman, Leno, Katz)

File 98-0676, Resolution No. 310-98

(April 27, 1998 - Introduced in Board for consideration on May 4, 1998.)

Supervisor Yaki, seconded by Supervisor Ammiano, moved an amendment of the whole entitled, "Resolution authorizing the Mayor's Office of Economic Development to represent the City and County to apply for retroactive to April 30, 1998, accept and expend a grant from the California Trade and Commerce Agency's Job Creation Investment Fund program."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Leno, Katz requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend National Women's Political Caucus]

Resolution commending the California Chapter of the National Women's Political Caucus on its 25th Anniversary. (Supervisors Kaufman, Bierman, Leno, Medina, Newsom, Teng, Brown, Katz)

File 98-0667, Resolution No. 347-98

(April 27, 1998 - Introduced in Board for consideration on May 4, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Medina, Newsom, Teng, Brown, Katz requested to be added as co-sponsors.

[Commend Bar Harbor, Maine]

Resolution commending Bar Harbor, Maine, for banning discrimination based on sexual orientation in housing, employment, or credit and urging other communities in the state to follow suit. (Supervisors Leno, Katz, Ammiano, Kaufman, Bierman, Medina, Newsom, Teng, Brown)

File 98-0668, Resolution No. 348-98

(April 27, 1998 - Introduced in Board for consideration on May 4, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Newsom, Teng, Brown requested to be added as co-sponsors.

[Commend Roberto Talavera]

Resolution commending Mr. Roberto Talavera for 27 years of service to the Board of Directors at the Mission Housing Development Corporation. (Supervisors Medina, Bierman, Leno, Newsom, Teng, Brown, Katz)

File 98-0669, Resolution No. 349-98

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(April 27, 1998 - Introduced in Board for consideration on May 4, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Newsom, Teng, Brown, Katz requested to be added as co-sponsors.

[Commend Asian Pacific American Heritage Month]

Resolution commending "Asian Pacific American Heritage Month," declaring May 1998 as "Asian Pacific American Heritage Month" in the City and County of San Francisco, and welcoming the art exhibition of calligraphy master Jue Wan Chin to City Hall. (Supervisors Teng, Kaufman, Bierman, Leno, Medina, Newsom, Brown, Katz)

File 98-0670, Resolution No. 350-98

(April 27, 1998 - Introduced in Board for consideration on May 4, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Medina, Newsom, Brown, Katz requested to be added as co-sponsors.

[Commend Ontario Court of Appeal]

Resolution commending Canadian Court that ruled that spouses can be of the same sex. (Supervisors Ammiano, Bierman, Leno, Medina, Katz)

File 98-0671, Resolution No. 351-98

(April 27, 1998 - Introduced in Board for consideration on May 4, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Medina, Katz requested to be added as co-sponsors.

[State Legislation, AB 1663]

Resolution urging the California State Legislature and Governor Pete Wilson to approve Assembly Bill 1663 concerning HIV test results. (Supervisors Leno, Bierman, Medina, Brown, Katz)

File 98-0672, Resolution No. 352-98

(April 27, 1998 - Introduced in Board for consideration on May 4, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Brown, Katz requested to be added as co-sponsors.

[Federal Legislation, S 600]

Resolution urging the United States Congress to enact into law Senate bill 600 - The Personal Information Privacy Act of 1997, which limits the accessibility and unauthorized commercial use - specifically on the Internet - of Social Security numbers, unlisted telephone numbers, and certain other types of sensitive personal information. (Supervisors Medina, Leno, Brown, Katz)

File 98-0673, Resolution No. 353-98

(April 27, 1998 - Introduced in Board for consideration on May 4, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Brown, Katz requested to be added as co-sponsors.

[State Legislation, AB 2806]

Resolution urging that the City and County support AB 2806, establishing as State policy that each court shall endeavor to provide a children's waiting room in each courthouse for children whose parents or guardians are attending a court hearing. (Supervisors Katz, Bierman, Leno, Medina, Brown)

File 98-0674, Resolution No. 354-98

(April 27, 1998 - Introduced in Board for consideration on May 4, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Medina, Brown requested to be added as co-sponsors.

[Disaster Relief Funding]

Resolution authorizing designated City and County officials to execute and file, on behalf of the City and County, an application for federal and/or state financial assistance under the Robert T. Stafford Federal Disaster Relief and Emergency Assistance Act and the State Natural Disaster Assistance Act for funds as a result of the 1998 winter storms. (Supervisors Medina, Bierman, Leno, Katz)

File 98-0675, Resolution No. 355-98

(April 27, 1998 - Introduced in Board for consideration on May 4, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Katz requested to be added as co-sponsors.

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. (Supervisors Kaufman, Ammiano, Katz, Bierman, Medina, Leno, Newsom)

File 98-0682, Motion No. M98-62

(April 27, 1998 - Introduced in Board for consideration on May 4, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Newsom requested to be added as co-sponsors.

[Final Map]

Motion approving final map of 1625 Pacific Avenue, a Residential Condominium Project, being a subdivision of Lot 14 in Assessor's Block No. 595, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0658, Motion No. M98-61

(April 27, 1998 - Referred to Board for consideration on May 4, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[MBE/WBE/LBE Utilization Ordinance III]

Ordinance amending Administrative Code by adding Section 12D.2-5 and by amending Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12D.15(G) to set forth findings supporting a two-month extension of the MBE/WBE/LBE Ordinance - III and providing for the two-month extension. Supervisor Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0701.

[Moderate-Scale Neighborhood Commercial District]

Ordinance amending Planning Code by adding a special provision to Section 712.38 and amending the associated chart set forth in Section 712 to authorize the change in occupancy of a vacant residential use to an other institution, large, use operated by a non-profit corporation on the third floor and above of buildings in the moderate-scale neighborhood commercial district as a conditional use under

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certain specified circumstances; adopting findings pursuant to Section 101.1. Supervisors Katz, Leno, Ammiano, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0702.

[Supervisors Ballot Arguments]

Ordinance amending Elections Code to add Section 586 to provide that when an argument is submitted by the Board of Supervisors for publication in the voter information pamphlet, the Clerk of the Board of Supervisors shall forward to the Director of Elections a list of the supervisors who voted for submission of the argument and a list of the supervisors who voted against submission of the argument, and the Director of Elections shall include a statement disclosing the name of each supervisor who voted for and against submission of the argument immediately following the argument in the pamphlet. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-0703.

[Bank Accounts]

Ordinance amending Administrative Code Section 10.81-1 to prohibit City Departments from opening bank accounts for City money without written permission of the Treasurer. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-0732.

Referred to Board

[Commend Precita Eyes Mural Center]

Resolution recognizing Precita Eyes Mural Arts Center and their selected award recipients for the Eighth Annual Mural Awareness Festival. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0704.

[Commend Midas International]

Resolution commending Midas International for increasing the availability of low-cost safety seats by selling child car seats at cost and repurchasing these seats for full credit towards car work as part of its Project Safe Baby. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0705.

[Proclaim American Red Cross Day]

Resolution declaring May 8, 1998 as American Red Cross Day. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0706.

[Commend LIFE Lobby]

Resolution commending the Lobby for Individual Freedom and Equality (LIFE Lobby) for their statewide efforts advocating for gay rights and AIDS/HIV issues. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0707.

[Commend Hattie P. Torrence]

Resolution commending Hattie P. Torrence as she retires after thirty-seven years as an outstanding educator. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0708.

[Commend Wilma Mankiller]

Resolution commending Wilma Mankiller for her superior contributions to the Cherokee Nation and the United States. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0709.

[State Legislation, SB 1659]

Resolution urging the California State Legislature and Governor Pete Wilson to approve Senate Bill 1659 regarding animal euthanasia. Supervisors Leno, Ammiano, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0710.

[State Legislation, SB 1941]

Resolution urging the California State Legislature and Governor Pete Wilson to approve Senate Bill 1941 regarding greenhouse gas emissions. Supervisors Leno, Ammiano, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0711.

[State Legislation, AB 2156]

Resolution supporting California Assembly Bill 2156 which would extend the filing period from 30 days to one year from the date of discharge from employment and urging that San Francisco's State elected officials and lobbyists support and lobby on behalf of this legislation. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0712.

[State Legislation, AB 2260]

Resolution supporting AB 2260 which would require the State Department of Health Services, through the childhood lead poisoning prevention program, to establish fifteen pilot projects to perform outreach and treatment for childhood lead poisoning in counties throughout the State identified as having the highest risk of lead poisoning. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0713.

[State Legislation, SB 2]

Resolution urging that the City and County of San Francisco support SB 2, enacting the Watershed, Wildlife, and Parks Improvement Bond Act of 1998. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0714.

[State Legislation, AB 2145]

Resolution urging that the City and County of San Francisco support AB 2145 which would require the State Board of Education to provide recommendations for legislative action to enact new policy for the adoption of electronic learning resources for use in California's public education system. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0715.

[State Legislation, AB 2177]

Resolution supporting AB 2177 which would facilitate the enforcement of domestic violence protective orders issued by a State or jurisdiction other than California and bring California into full compliance with the Federal Violence Against Women Act. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0716.

[State Legislation, SB 1922]

Resolution opposing the passage of Senate Bill 1922 which would exclude certain municipal elected officials from consideration for appointment to the San Francisco Bay Conservation and Development Commission. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0717.

[Appointment]

Resolution supporting and recommending the appointment of Chancellor Chang Ling Tien as the next United States Secretary of Energy. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0718.

Monday, May 4, 1998

[Needle Swap Program Funding]

Resolution urging President Clinton and the House of Representatives to reconsider the Needle Swap Program funding. Supervisors Ammiano, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0719.

Referred to Committee

[Interim Zoning Control]

Resolution extending Interim Zoning Controls for an additional six (6) month period to prohibit temporarily the introduction of new establishments or expansion of existing establishments selling alcoholic beverages in the Haight Street neighborhood Commercial District, as defined in Planning Code Section 719.1 or within one quarter (1/4) mile of any boundary of this district and making a findings of consistency with the priority policies of Planning Code Section 101.1. Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 98-0720.

[Vehicularly Housed Residential Community]

Resolution supporting the concept of a vehicularly housed residential community in a designated site that provides basic amenities so as to facilitate stability and community for people who reside in their vehicles. Supervisors Bierman, Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0721.

[Estate of Zygmunt Arendt]

Resolution authorizing the Public Administrator to act as the personal representative of the Mayor and Board of Supervisors for the purpose of probating the estate of Zygmunt Arendt and authorizing the Public Administrator to seek approval from the Probate Court for the appointment of the General Manager of the Department of Human Services to manage distribution of the estate under the oversight of the Mayor and Board of Supervisors. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the May 13, 1998 meeting.

File 98-0722.

[Episcopal Homes Foundation Certificates]

Resolution authorizing the execution and delivery of certificates of participation by the ABAG Finance Authority for nonprofit corporations in an aggregate principal amount not to exceed \$130,000,000 for Episcopal Homes Foundation (or a related entity). Supervisor Kaufman presented. Referred to Finance Committee.

File 98-0723.

[Scott Street Housing complex, Inc. Certificates]

Resolution authorizing the execution and delivery of certificates of participation by the ABAG Finance Authority for nonprofit corporations in an aggregate principal amount not to exceed \$40,000,000 for Scott Street Housing Complex, Inc. (or a related entity). Supervisor Kaufman presented. Referred to Finance Committee.

File 98-0724.

[Child Care Workers Living Wages]

Resolution protecting the integrity of child care workers by providing a living wage that would slow turnover and address the shortage of qualified workers. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-0725.

Requests for Hearings:

[Appropriation, Shanti Project] Hearing to consider the need for a supplemental appropriation for the Shanti Project. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-0726.

[MUNI-Metro Tunnel Safety] Hearing to consider safety in the MUNI-Metro tunnels. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0727.

[Pension Fund Investments] Hearing to consider how City pension funds are invested in venture capital funds. Supervisor Katz presented. Referred to Finance Committee.

File 98-0729.

Motions:

Referred to Board

[Suspend Thirty Day Rule] Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, resolution accepting gift of real property (2340-2366 Leavenworth Street) and of funds in the amount of \$100,000 from the estate of Mary Fay Berrigan, placing the property under the jurisdiction of the Recreation and Park Department, dedicating the property as a park to be called Fay Park and instructing City Departments to take any steps necessary to effectuate this resolution; companion measure to File 98-0689. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0730.

[Needle Exchange Emergency] Motion concurring in the determination of the Mayor for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee presented. Referred to Board for Adoption Without Committee Reference Calendar May 11, 1998.

File 98-0731.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0141. [Annual Salary Ordinance, Dept. of Public Health] Substitute ordinance amending Annual Salary Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health, Community Health service, reflecting the creation of 2.1 new positions; companion measure to File 98-0140. (Department of Human Resources). Referred to Finance Committee.

File 98-0521. [Bond Pass Through] Substitute ordinance amending Administrative Code Sections 37.2, 37.3 and 37.8 to permit landlords to pass through to tenants any increase in the property tax rate imposed as a result of a ballot measure approved by the voters between November, 1996 and November, 1998. (Mayor Willie L. Brown, Supervisors Yaki, Teng, Bierman, Brown, Yee, Kaufman) Referred to Finance Committee.

File 98-0686. [Appropriation, Public Utilities Commission] Ordinance appropriating \$630,779, Public Utilities Commission-Water Department, of San Francisco Water Department Operating Fund Balance, to fund with associated costs the implementation of safe drinking water and seismic reliability capital improvement programs (Propositions A and B) and creation of sixteen (16) positions for fiscal year 1997-98; companion measure to File 98-0687. (Controller) Referred to Finance Committee.

File 98-0687. [Salary Ordinance Amendment, PUC-Water Department] Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Public Utilities Commission-Water Department, reflecting the creation of sixteen (16) new positions; companion measure to File 98-0686. (Department of Human Resources) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0685. [Quitclaim Deed] Resolution authorizing and directing execution of quitclaim deed from the City and County of San Francisco to the San Francisco Unified School District, a political subdivision of the State of California, for Assessor's Block 6221, Lots 1 and 2, (500 Raymond Avenue), and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 98-0688. [State Grant - Project Read] Resolution authorizing the City Librarian to accept and expend funds of \$41,000 for Literacy Coordination and Outreach that include indirect costs of five percent (5%) from the California State Library. (Public Library) Referred to Housing and Neighborhood Services Committee.

File 98-0689. [Acceptance of Gift of Real Property and Cash] Resolution accepting a gift of real property (Lots 14 and 14a, Assessor's Block 67, commonly known as 2340-2366 Leavenworth Street) and of funds in the amount of \$100,000 from the estate of Mary Fay Berrigan, placing the property under the jurisdiction of the Recreation and Park Department, dedicating the property as a park to be called Fay Park, and instructing City Departments to take any steps necessary to effectuate this resolution. (City Attorney) Referred to Parks and Recreation Committee.

File 98-0690. [Equipment Lease Financing, 911 Center] Resolution approving the issuance of Lease Revenue Bonds (aggregate amount not to exceed \$60,000,000) of the City and County of San Francisco Finance Corporation; approving the form and authorizing the execution and delivery of an equipment lease between the City and County of San Francisco Finance Corporation (the "Corporation"), as lessor, and the City and County of San Francisco (the "City"), as lessee, relating to the equipment (including certain indemnification provisions therein); approving the form and authorizing the execution and delivery of an Indenture of Trust among the corporation, the City and the trustee; approving the form and authorizing the execution and delivery of a Continuing Disclosure Certificate relating to said Bonds; approving the circulation of an official statement relating to said Bonds; authorizing the payment of certain costs of issuance from the proceeds of such Bonds; ratifying previous actions taken in connection with the foregoing matters; adopting findings under the California Environmental Quality Act and findings pursuant to City Planning Code Section 101.1; and authorizing the taking of appropriate actions in connection therewith. (Mayor's Office of Finance and Legislative Affairs) Referred to Finance Committee.

File 98-0691. [Construction Contract Expenditure Increase] Resolution approving expenditure of funds in excess of ten percent (10%) of the original contract amount (\$2,302,364), for San Francisco Water Department Contract WD-2064R. (Public Utilities Commission) Referred to Health, Family and Environment Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Newsom, that letter of inquiry be sent to Director, Department of Parking and Traffic concerning single space pay and display parking meters to determine the feasibility, status and future plans for implementing such a system.

By Supervisor Ammiano, that letters be sent to University of San Francisco and New College commending them for their efforts to grant admissions and tuition assistance to family members of slain San Francisco Police Officers.

By Supervisor Katz, that letter of inquiry be sent to Director, Department of Public Health, concerning developing a program to work with and assist schools and the Unified School District to increase awareness and understanding of environmental health risks facing school children, which include but are not limited to airborne particulates from construction projects located near schools and other factors which could compromise the health of school children, especially those suffering from respiratory problems with a request that the department develop a plan of action to respond to the risks and report back to the Board of Supervisors.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Zygmunt Arendt (By the entire Board)
T. J. Jack Kent (Supervisor Bierman)
Paul Petroni (Supervisor Ammiano)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:08 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 29, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, May 11, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 11, 1998 - 6:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 6:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Kaufman, Leno, Newsom, Teng, Yaki, Yee - 8.

Noted absent at first roll call:

Supervisors Bierman, Katz, Medina - 3.

Quorum present.

Supervisor Bierman was noted present at 6:09 p.m.

Supervisor Katz was noted present at 6:10 p.m.

Supervisor Medina was noted present at 6:08 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Leno, moved that the Journal of Proceedings for Monday, March 30, 1998, be approved.

Motion carried by the following vote:

Supervisors Ammiano, Brown, Kaufman, Leno, Newsom, Teng, Yaki, Yee - 8.

Absent: Supervisors Bierman, Katz, Medina - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Mayor's Office]

Ordinance appropriating \$20,120,317, Mayor's Office, of bond proceeds and interest income for the cost of implementation of Affordable Housing and Home Ownership Program for fiscal year 1997-98. (Supervisor Brown)

File 98-0421, Ordinance No. 167-98

(Fiscal Impact.)

Finally passed.

[MOU-Fire Fighters Local 798/Bargaining Unit 1]

Ordinance amending Ordinance No. 381-95 to implement the previous Amendment Number 3 to the Memorandum of Understanding between the Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 1 and the City and County to be effective July 1, 1997 through June 30, 1999. (Department of Human Resources)

File 98-0558, Ordinance No. 170-98

(Fiscal Impact.)

Finally Passed.

[MOU, Fire Fighters Local 798/Bargaining Unit 2]
Ordinance amending Ordinance No. 382-95 to implement the provisions of Amendment Number 3 to the Memorandum of Understanding between the San Francisco Fire Fighters Union Local 798, IAFF, AFL-CIO for Bargaining Unit 2 and the City and County to be effective July 1, 1997 through June 30, 1999. (Department of Human Resources)

File 98-0559, Ordinance No. 171-98

(Fiscal Impact.)

Finally passed.

[Street Cleaning Parking Violation Penalty Fee]
Ordinance amending Traffic Code to increase the penalty for street cleaning parking violation (to \$30). (Mayor Willie L. Brown, Jr.)

File 98-0596, Ordinance No. 173-98

(Fiscal Impact.)

(Amends Section 37(c).)

Finally passed.

Adopted

[Prop J Contract, Legal Services, District Attorney]
Resolution concurring with Controller's certification that Legal Process Server Services can be practically performed for the District Attorney, Family Support Bureau, by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney)

File 98-0593, Resolution No. 361-98

Adopted.

[Lease Amendment, 44 Gough Street]
Resolution authorizing amendment of an existing lease of real property at 44 Gough Street for the Department of Human Resources' Administration, Administrative Services, which include Management and Employee Development, Equal Employment Opportunity, Employee Relations, and Management Information Systems. (Real Estate Department)

File 98-0625, Resolution No. 364-98

Adopted.

[Emergency Repair, Church Street Sewer]
Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Church Street from 19th Street to Hancock Street - \$104,076. (Public Utilities Commission)

File 98-0626, Resolution No. 365-98

Adopted.

Recommendations of Rules Committee

Finally Passed

[Sandler v. CCSF]
Ordinance approving settlement agreement in Sandler v. City and County. (City Attorney)

File 98-0588, Ordinance No. 172-98

(U.S.D.C. Northern California No. C94-1334 SI.)

Finally passed.

[Robert Rene Mitchell v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Robert Rene Mitchell against the City and County, by payment of \$80,000. (City Attorney)

File 98-0617, Ordinance No. 174-98

(Superior Court No. 979-034.)

Finally passed.

[State Farm/Yaser v. CCSF, et al.]

Ordinance authorizing settlement of litigation of State Farm Fire and Casualty Company, Sami Yaser, George Yaser and dba Fell Quality Market, against City and County by payment of \$135,000. (City Attorney)

File 98-0618, Ordinance No. 175-98

(Superior Court Case No. 980-058, consolidated under Superior Court Case No. 977-008.)

Finally passed.

Recommendation of Health, Family & Environment Committee

Finally Passed

[Task Force]

Ordinance amending Administrative Code to establish and delegate to the Lesbian, Gay, Bisexual, Transgender, Queer and Questioning Youth Task Force the ability to investigate City departments' implementation of the 1996 San Francisco Human Rights Commission's recommendations regarding the needs of lesbian, gay, bisexual, transgender, queer and questioning youth, and to provide that the task force shall cease to exist on June 30, 1999. (Supervisors Ammiano, Katz, Bierman, Medina, Newsom, Yaki, Yee, Leno)

File 98-0225, Ordinance No. 166-98

(Adds Sections 30.01 - 30.03.)

Finally passed.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

(Supervisor Newsom excused from voting.)
(See Journal of Proceedings of May 4, 1998.)

[Environmental Review Fees]

Ordinance amending Administrative Code, to modify and eliminate certain Planning Department fees, and deleting Section 31.46(g), the sunset clause. (Planning Department)

File 98-0546, Ordinance No. 169-98

(Fiscal Impact.)

(Repeals existing Section 31.46, converting Section 31.46A, to a new Section 31.46; amends Section 31.46 and deletes Section 31.46(g).)

(Planning Commission Resolution No. 14605 adopted March 26, 1998, approving amendments.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Monday, May 11, 1998

Excused: Supervisor Newsom - 1.

(Supervisor Newsom excused from voting.)
(See Journal of Proceedings of May 4, 1998.)

[Planning Department Fees]

Ordinance amending Planning Code to modify and eliminate certain Planning Department fees, and deleting Section 358, the Sunset Clause. (Planning Department)

File 98-0513, Ordinance No. 168-98

(Fiscal Impact.)

(Repeals existing Article 3.5, converting Article 3.5A to a new Article 3.5; amends Sections 350 through 357 and deletes Section 358.)

(Planning Commission Resolution No. 14605, adopted March 26, 1998, approving amendments.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki, Yee - 10.

Excused: Supervisor Newsom - 1.

Called from Finance Committee by Supervisor Bierman

Finally Passed

[Displaced Worker Protection Act]

Ordinance amending Police Code to provide for the retention of security and janitorial or building maintenance workers when a successor contract is awarded. (Supervisor Bierman)

File 121-97-010, Ordinance No. 165-98

(Adds Article 33C, Sections 3300C.1 through 3300C.6.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Noes: Supervisors Kaufman, Newsom, Yee - 3.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Appropriation, Public Defender's Office]

Ordinance appropriating \$100,207, Public Defender's Office, from the General Fund Reserve for salaries and fringe benefits and for the creation of two (2) new positions; companion measure to File 98-0485. (Controller)

File 98-0484, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Salary Ord. Amendment, Public Defender's Office]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Public Defender's Office, reflecting the creation of two (2) new positions (Class 8174 Attorney, Civil and Criminal); companion measure to File 98-0484. (Department of Human Resources)

File 98-0485, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appropriation, Dept. of Public Health]

Ordinance appropriating \$15,501,323, Department of Public Health, San Francisco General Hospital and Laguna Honda Hospital, of Medical Revenues in excess of budget estimates to fund increased salaries, fringe benefits, professional services, materials, equipment and facilities maintenance and the creation of 75.70 positions for fiscal year 1997-98; companion measure to File 98-0632. (Mayor Willie L. Brown, Jr.)

File 98-0631, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Salary Ordinance Amendment, Dept. of Public Health]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health - Community Health Network, reflecting the creation of 75.70 positions; companion measure to File 98-0631. (Mayor Willie L. Brown, Jr.)

File 98-0632, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Appropriation, Department of Public Works]

Ordinance appropriating \$22,477,779, Department of Public Works, from the General Fund Reserve to fund the construction of City Hall for fiscal year 1997-98. (Mayor Willie L. Brown, Jr.)

File 98-0633, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Teng assumed the Chair so the President could participate in the debate from the floor on the following item.

[Bond Pass Through]

Ordinance amending Administrative Code to permit landlords to pass through to tenants any increase in the property tax rate imposed as a result of a ballot measure approved by the voters between November, 1996 and November, 1998. (Mayor Willie L. Brown, Jr., Supervisors Yaki, Teng, Bierman, Brown, Yee)

File 98-0521, Ordinance No.

(Amends Sections 37.2, 37.3 and 37.8.)

Supervisor Kaufman Excused from Voting

Supervisor Kaufman requested to be excused from voting because of possible conflict of interest.

Supervisor Teng, seconded by Supervisor Yaki, moved to excuse Supervisor Kaufman from voting.

Motion to excuse Supervisor Kaufman from voting adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

The roll was then called on the pending ordinance and it was passed on first reading by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee - 9.

Noes: Supervisor Ammiano - 1.

Excused: Supervisor Kaufman - 1.

The President resumed the Chair.

Adopted

[Acquisition of Easement from Joint Powers Board]

Resolution authorizing the acquisition of a 4,315 square foot non-exclusive easement for \$27,000 from the Peninsula Corridor Joint Powers Board (JPB) for street widening purposes along the south side of Cesar Chavez Street (formerly Army Street), on a portion of Assessor Parcel No. 4349-4 and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 98-0561, Resolution No. 360-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Sale of Surplus Property]

Resolution authorizing the sale of surplus property (Block 3807, Lot 12, between 7th and Carolina Streets) and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 98-0619, Resolution No. 362-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Sale of Surplus Property]

Resolution authorizing the sale of surplus City-owned property (Block 16, Lots 1 through 24, Oakdale, Stanislaus County) and confirming actions of City officials. (Real Estate Department)

File 98-0620, Resolution No. 363-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Parks and Recreation Committee

Adopted

[Abandoned Shopping Cart Task Force]

Resolution creating an Abandoned Shopping Cart Task Force to investigate how the City and County can effectively remove abandoned shopping carts from the City's streets and reduce shopping cart theft which contributes to increasing the cost of living in the City. Such task force shall complete its work and report to the Board of Supervisors by October 28, 1998; a written report shall be submitted to the Board of Supervisors. (Supervisor Brown)

File 98-0388, Resolution No. 357-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Recreation and Park Department Oversight]

Resolution recommending that the Board of Supervisors maintain ongoing oversight of the Recreation and Park Department's progress in implementing the Department of Public Health's recommendations for compliance with the 1992 Comprehensive Lead Poisoning Prevention Ordinance enacted by the Board of Supervisors; requiring a quarterly written report from the department on its compliance with the Lead Poisoning Prevention Ordinance. (Supervisors Bierman, Newsom)

File 98-0432, Resolution No. 358-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Advisory Dogs Off-Leash Task Force]

Resolution creating an Advisory Dogs Off-Leash Task Force to recommend an effective off-leash policy which will enable the City and County to increase the number of dogs off-leash areas in neighborhood parks while equitably balancing that need against the needs of other park users and park resources, to recommend alternative ways to creatively finance the costs associated with increasing the number of dogs off-leash areas in neighborhood parks and to recommend how the City can effectively and fairly enforce its laws and regulations pertaining to dogs. (Supervisors Brown, Bierman, Newsom)

File 98-0433, Resolution No. 359-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Alexandra Apley, Mothers in Prison, Children in Crisis campaign;
David Monks, supports night meeting of the full Board;
Male speaker, police procedures;
Robert, TCI reduced channels and rate schedule;
Michael Levin, supports evening meetings, Hallidie Plaza elevator structure, transit island
Female speaker, newsrack legislation;
Carmen, Fay Park;
Joan, Fay Park.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[State Legislation, AB 2260]

Resolution supporting AB 2260 which would require the State Department of Health Services, through the Childhood Lead Poisoning Prevention Program, to establish fifteen pilot projects to perform outreach and treatment for childhood lead poisoning in counties throughout the State identified as having the highest risk of lead poisoning. (Supervisors Bierman, Teng, Brown, Katz, Medina)

File 98-0713, Resolution No.

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Supervisor Bierman, seconded by Supervisor Medina, moved to continue consideration to May 18, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisors Teng, Brown, Katz, Medina requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Precita Eyes Mural Arts Center]

Resolution recognizing Precita Eyes Mural Arts Center and their selected award recipients for the Eighth Annual Mural Awareness Festival. (Supervisors Medina, Bierman, Teng, Brown, Katz, Leno)

File 98-0704, Resolution No. 366-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Brown, Katz, Leno requested to be added as co-sponsors.

[Commend Midas International]

Resolution commending Midas International for increasing the availability of low-cost safety seats by selling child car seats at cost and repurchasing these seats for full credit towards car work as part of its Project Safe Baby. (Supervisors Newsom, Teng, Bierman, Katz, Medina)

File 98-0705, Resolution No. 367-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Katz, Medina requested to be added as co-sponsors.

[Proclaim American Red Cross Day]

Resolution declaring May 8, 1998 as American Red Cross Day. (Supervisors Yaki, Kaufman, Teng, Bierman, Brown, Katz, Medina)

File 98-0706, Resolution No. 368-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Kaufman, Teng, Bierman, Brown, Katz, Medina requested to be added as co-sponsors.

[Commend LIFE Lobby]

Resolution commending the Lobby for Individual Freedom and Equality (LIFE Lobby) for their statewide efforts advocating for gay rights and AIDS/HIV issues. (Supervisors Ammiano, Bierman, Teng, Katz, Leno, Medina)

File 98-0707, Resolution No. 369-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Katz, Leno, Medina requested to be added as co-sponsors.

[Commend Hattie P. Torrence]

Resolution commending Hattie P. Torrence as she retires after thirty-seven years as an outstanding educator. (Supervisors Brown, Teng, Bierman, Katz, Leno, Medina)

File 98-0708, Resolution No. 370-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Katz, Leno, Medina requested to be added as co-sponsors.

[Commend Wilma Mankiller]

Resolution commending Wilma Mankiller for her superior contributions to the Cherokee Nation and the United States. (Supervisors Brown, Teng, Bierman, Katz, Medina)

File 98-0709, Resolution No. 371-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Bierman, Katz, Medina requested to be added as co-sponsors.

[State Legislation, SB 1659]

Resolution urging the California State Legislature and Governor Pete Wilson to approve Senate Bill 1659 regarding animal euthanasia. (Supervisors Leno, Ammiano, Yaki, Bierman, Newsom, Teng, Brown, Medina)

File 98-0710, Resolution No. 372-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Teng, Brown, Medina requested to be added as co-sponsors.

[State Legislation, SB 1941]

Resolution urging the California State Legislature and Governor Pete Wilson to approve Senate Bill 1941 regarding greenhouse gas emissions. (Supervisors Leno, Ammiano, Bierman, Newsom, Teng, Katz, Medina)

File 98-0711, Resolution No. 373-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Teng, Katz, Medina requested to be added as co-sponsors.

[State Legislation, AB 2156]

Resolution supporting California Assembly Bill 2156 which would extend the filing period from 30 days to one year from the date of discharge from employment and urging that San Francisco's State elected officials and lobbyists support and lobby on behalf of this legislation. (Supervisors Ammiano, Bierman, Katz, Leno, Medina)

File 98-0712, Resolution No. 374-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz, Leno, Medina requested to be added as co-sponsors.

[State Legislation, SB 2]

Resolution urging that the City and County support SB 2, enacting the Watershed, Wildlife, and Parks Improvement Bond Act of 1998. (Supervisors Katz, Bierman, Newsom, Leno, Medina)

File 98-0714, Resolution No. 375-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Leno, Medina requested to be added as co-sponsors.

[State Legislation, AB 2145]

Resolution urging that the City and County support AB 2145 which would require the State Board of Education to provide recommendations for legislative action to enact new policy for the adoption of electronic learning resources for use in California's public education system. (Supervisors Katz, Brown, Medina)

File 98-0715, Resolution No. 376-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

[State legislation, AB 2177]

Resolution supporting AB 2177 which would facilitate the enforcement of domestic violence protective orders issued by a State or jurisdiction other than California and bring California into full compliance with the Federal Violence Against Women Act. (Supervisor Kaufman, Bierman, Newsom, Teng, Brown, Katz, Leno, Medina)

File 98-0716, Resolution No. 377-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Teng, Brown, Katz, Leno, Medina requested to be added as co-sponsors.

[State Legislation, SB 1922]

Resolution opposing the passage of Senate Bill 1922 which would exclude certain municipal elected officials from consideration for appointment to the San Francisco Bay Conservation and Development Commission. (Supervisor Kaufman, Newsom, Bierman, Leno)

File 98-0717, Resolution No. 378-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Bierman, Leno requested to be added as co-sponsors.

[Appointment]

Resolution supporting and recommending the appointment of Chancellor Chang Ling Tien as the next United States Secretary of Energy. (Supervisors Teng, Bierman, Brown, Katz, Leno)

File 98-0718, Resolution No. 379-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Leno requested to be added as co-sponsors.

[Needle Swap Program Funding]

Resolution urging President Clinton and the House of Representatives to reconsider the Needle Swap Program funding. (Supervisors Ammiano, Newsom, Bierman, Teng, Brown, Katz, Leno)

File 98-0719, Resolution No. 380-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Brown, Katz, Leno requested to be added as co-sponsors.

[Suspend Thirty Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, resolution accepting gift of real property (2340-2366 Leavenworth Street) and of funds in the amount of \$100,000 from the estate of Mary Fay Berrigan, placing the property under the jurisdiction of the Recreation and park Department, dedicating the property as a park to be called Fay Park and instructing City Departments to take any steps necessary to effectuate this resolution. (Supervisors Brown, Bierman, Katz)

File 98-0730, Motion No. M98-63

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Katz requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno)

File 98-0731, Motion No. M98-64

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

[Episcopal Homes Foundation Certificates]

Resolution authorizing the execution and delivery of certificates of participation by the ABAG Finance Authority for nonprofit corporations in an aggregate principal amount not to exceed \$130,000,000 for Episcopal Homes Foundation (or a related entity). (Supervisors Kaufman, Katz)

File 98-0723, Resolution No. 336-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

[Scott Street Housing Complex, Inc. Certificates]

Resolution authorizing the execution and delivery of certificates of participation by the ABAG Finance Authority for nonprofit corporations in an aggregate principal amount not to exceed \$40,000,000 for Scott Street Housing Complex, Inc. (or a related entity). (Supervisors Kaufman, Katz)

File 98-0724, Resolution No. 337-98

(May 4, 1998 - Introduced in Board for consideration on May 11, 1998.)

Adopted.

In connection with the above item, Supervisor Katz requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Imperative Resolution]

Adopted

[Commend Teachers]

Resolution commending teachers for their dedication and tireless efforts in the development and educating of the children of today and the leaders of tomorrow.

File 98-0767, Resolution No. 381-98

Supervisors Ammiano, Yee, Bierman, Medina presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Newsracks]

Substitute ordinance amending Public Works Code by adding Section 184.12 regulating the placement and maintenance of newsracks on public streets, sidewalks and rights-of-way to prohibit free-standing newsracks in specified areas of the City, authorizing the creation of fixed pedestal zones in specified areas of the City and authorizing the Director of Public Works to select and enter into agreements with vendors to provide and maintain fixed-pedestal newsracks. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-0515.

[Newsracks Appeal]

Substitute ordinance amending Municipal Code Part III, by amending Section 8 to provide for appeals to the Board of Appeals from decisions of the Director of Public Works concerning permits for fixed pedestal newsracks; companion measure to File 98-0515. Supervisor Kaufman presented. Referred to Finance Committee with request it be considered at the May 20, 1998 meeting.

File 98-0516.

[Taxicab Gate Fees]

Ordinance amending Police Code by adding Section 1135.1, setting a cap on taxicab gate fees, authorizing regulations and penalties, and providing for expiration of the ordinance (twenty-four months after the effective date of the section). Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0761.

[Curb Parking, Commercial Vehicles]

Ordinance amending Traffic Code Section 54, prohibiting curb parking for commercial vehicles. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0762.

[Double Parking Regulation and Fine]

Ordinance amending Traffic Code by adding Section 53, regarding double parking. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0764.

[Zoning Map Amendment, Historic Sign District] Ordinance adopting changes in property use classification as an amendment to the Zoning Map in the block bounded by Bryant Street, Fifteenth Street, Florida Street and the extension of Alameda Street, identified as Lots 6 and 7 in Assessor's Block 3923, from an M-1 (Light Industrial) District to an M-1 (Light Industrial) and Historic Sign District; finding consistency with Planning Code Section 101.1; companion measure to File 98-0449. Supervisor Kaufman presented. Referred to Housing and Neighborhood Services Committee.

File 98-0766.

[CalTrain to Airport]

Substitute resolution supporting a direct connection of CalTrain to the San Francisco International Airport via the Airport Rail Transit System that will (1) complement the BART connection from Millbrae and San Bruno, (2) measurably reduce traffic on Route 101, and (3) recognize the ecological sensitivity of the Airport's west of Bayshore property, and encouraging the appropriate agencies to work cooperatively to establish such a direct connection. Supervisors Bierman, Ammiano, Brown, Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0344.

[Acceptance of Gift of Real Property and Cash]

Substitute resolution accepting a gift of real property located at 2340-2366 Leavenworth Street and of funds in the amount of \$100,000 from the estate of Mary Fay Berrigan, placing the property under the jurisdiction of the Recreation and Park Department, dedicating the property as a park to be called Fay Park, and instructing City departments to take any steps necessary to effectuate this resolution. Supervisors Brown, Bierman presented. Referred to Parks and Recreation Committee.

File 98-0689.

[Interim Zoning Control]

Substitute resolution renewing Interim Zoning Controls for a six (6) month period to prohibit temporarily the introduction of new establishments or expansion of existing establishments selling alcoholic beverages in the Haight Street Neighborhood Commercial District, as defined in Planning Code Section 719.1, or within one quarter (1/4) mile of any boundary of this district and making a finding of consistency with the priority policies of Planning Code Section 101.1. Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 98-0720.

[Loading Zone Violation Penalty Fine Increase]

Resolution increasing the penalty for violating Traffic Code Sections 33.3 (Special Truck Loading Zones), 33.3.2 (Truck Loading Zones in Parking Bays along Market Street), 38.B (Yellow Zones - Metropolitan Traffic District) and 38.B.1 (Yellow Zones - Outside Metropolitan Traffic District) from \$30, \$25, \$23, and \$25, respectively, to \$100; companion measure to File 98-0762. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0763.

[Double Parking Violation Penalty Increase]

Resolution increasing the penalty for violations of Traffic Code Section 53 (double parking) from \$50 to \$100; companion to File 98-0764. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 000-98-0765.

Referred to Board

[Commendation]

Resolution recognizing and commending Philip Choy, Alexander Weiss and the Angel Island Immigration Station Foundation for their roles in preserving the rich history of Angel Island Immigration Station for generations to come. Supervisors Teng, Ammiano, Bierman, Brown, Katz, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0768.

[Angel Island, National Historic Landmark]

Resolution remembering Angel Island's historic role in the anti-immigrant movement and taking great pride in recognizing the momentous designation of Angel Island Immigration Station as a National Historic Landmark. Supervisors Teng, Ammiano, Bierman, Brown, Katz, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0769.

[Commend Lejon Loggins]

Resolution commending Lejon Loggins for his courage and bravery in saving the lives of members of the Singleton family. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0770.

[Older Americans Month]

Resolution recognizing the seniors in our City and declaring May 1998 as Older Americans Month. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0771.

[Emergency Medical Services Week]

Resolution declaring the week of May 17-23, 1998 as Emergency Medical Services Week. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0772.

[Drug Court Week]

Resolution declaring the week of June 1-7, 1998 as Drug Court Week. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0773.

[Commend Agnes Albert]

Resolution commending Ms. Agnes Albert for her contributions to the San Francisco Symphony and celebrating her 90th birthday. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0774.

[Commendation]

Resolution commending the San Francisco Museum of Modern Art for its Keith Haring Exhibit and celebrating the art and memory of Keith Haring. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0775.

[State Legislation, SB 1968]

Resolution urging the California State Legislature to enact into law SB 1968 which prohibits employers with more than 20 employees from discriminating in payment of wages between full-time and part-time employees, except with respect to seniority. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0776.

[State Legislation, SB 1686]

Resolution urging the California State Legislature to support SB 1686, a bill changing the California State Education Code to comply with the Federal Individuals with Disabilities Education Act, in order that the State may qualify for Federal funds available for the education of individuals with exceptional needs. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0777.

[State Legislation, AB 2188]

Resolution urging the California State legislature to support AB 2188, a bill that would establish a certification process for firearms manufacturers and mandate reporting requirements for all lost or stolen firearms. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0778.

[State Legislation, SB 1901]
Resolution endorsing SB 1901 which would benefit grandparents and other relative child care providers. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0780.

[State Legislation, SCA 30]
Resolution supporting Senate Constitution Amendment 30 which would amend the California Constitution to prohibit the State or a local government from entering into any contract, franchise agreement or other arrangement in which all or any portion of a public safety service, including fire, police, sheriff, probation or other peace office services, would be provided by private means. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0781.

[State Legislation, SB 1809]
Resolution supporting SB 1809 relating to elderly abuse reform efforts. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0782.

[State Legislation, AB 2389]
Resolution opposing AB 2389 which would limit a woman's right to choose an abortion in the State of California. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0783.

[State Legislation, SB 1735]
Resolution urging the California State Legislature and Governor Pete Wilson to approve SB 1735, relating to civil rights. Supervisors Leno, Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0784.

Referred to Committee

[Interdepartmental Parks Safety Committee]
Resolution creating an Interdepartmental Parks Safety Committee to collaboratively address criminal activities within our parks in conjunction with the Police Department's Operation Parks and to provide progress reports to the Board of Supervisors' Parks and Recreation Committee on a monthly basis. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-0785.

Referred to Board

[Keith Haring Artwork]
Resolution urging the Art Commission to consider the viability of purchasing a Keith Haring sculpture for the San Francisco Art Collection. Supervisors Ammiano, Bierman, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0786.

Referred to Committee

[Gift Acceptance]
Resolution accepting two gifts in the amount of \$150,000 from Mr. Tully M. Friedman through the Friends of Recreation and Parks and from the Friends of Recreation and Parks. Supervisor Brown presented. Referred to Parks and Recreation Committee.

File 98-0787.

Monday, May 11, 1998

Requests for Hearings:

[Laguna Honda Hospital]

Hearing to determine the appropriate response to the Department of Justice findings on Laguna Honda Hospital. Supervisors Medina, Newsom, Ammiano, Bierman, Brown, Katz presented. Referred to Health, Family and Environment Committee.

File 98-0788.

[Land Use Conflicts, 11th/Folsom Street]

Hearing to consider resolution to land use conflicts in the 11th Street and Folsom Street entertainment corridor. Supervisors Newsom, Bierman, Katz presented. Referred to Housing and Neighborhood Services Committee.

File 98-0789.

[Noise Standards]

Hearing to consider changes in noise standards and recent police enforcement of these standards with respect to night clubs. Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 98-0790.

Motions:

Referred to Committee

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. Supervisors Kaufman, Ammiano, Katz, Bierman, Medina, Leno, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar May 18, 1998.

File 98-0779.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0728. [CCSF v. Bank of America NT & SA] Ordinance authorizing settlement of litigation of City and County of San Francisco, entitled "City and County of San Francisco v. Bank of America NT & SA", for \$38,000. (Superior Court No. 988-950). (City Attorney) Referred to Rules Committee.

File 98-0733. [Appropriation, Dept of Transportation-MUNI] Ordinance appropriating \$72,439, Department of Transportation - Municipal Railway, of General Reserve Fund for salaries and fringe benefits and the creation of nine (9) positions to extend the hours of operations of the Telephone Information Center and the Passenger Service Units for fiscal year 1997-98; companion measure to File 98-0739. RO #97245. (Controller) Referred to Finance Committee.

File 98-0734. [Appropriation, DTIS/Administrative Services] Ordinance appropriating \$1,680,000, including \$1,000,000, Department of Telecommunication and Information Services and the Administrative Services Department, from the General Fund Reserve-Network and rescinding and appropriating \$680,000 from professional services-Public Protection Special Revenue Fund to finance the initial implementation of the Fiber Optic Network and the development of an Internet Processing Plan for fiscal year 1997-98. RO #97248. (Controller) Referred to Finance Committee.

File 98-0735. [Conflict of Interest Code, Redevelopment Agency] Ordinance amending Administrative Code by amending Chapter 58 to incorporate changes in the designated positions and disclosure categories for the Redevelopment Agency's Conflict of Interest Code and to add a definition of consultant. (City Attorney) Referred to Rules Committee.

File 98-0736. [Conflict of Interest Code, Dept of Public Health] Ordinance amending Administrative Code by amending Chapter 58 to delete a designated position (Institutional Police Officer), in the Public Health Department's Conflict of Interest Code. (City Attorney) Referred to Rules Committee.

File 98-0737. [Recreation and Park Fees] Ordinance amending the San Francisco Park Code by adding Sections 11.05 through 11.07 approving fees for the Japanese Tea Garden, Coit Tower, and wedding ceremonies. (Recreation and Park Department) Referred to Finance Committee.

File 98-0738. [PUC Short-Term Indebtedness] Ordinance amending Administrative Code by adding Chapter 84 to provide a procedure for the issuance by the Public Utilities Commission of the City and County of San Francisco of commercial paper and other short-term indebtedness in anticipation of the issuance of revenue bonds. (Public Utilities Commission) Referred to Finance Committee.

File 98-0739. [Salary Ord Amendment, Dept of Transportation-MUNI Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Transportation - Municipal Railway, reflecting the creation of nine (9) positions (8 Class 9122 Transit Information Clerk, and 1 Class 9124 Sr. Transit Information Clerk); companion measure to File 98-0733. (Department of Human Resources) Referred to Finance Committee.

File 98-0740. [Cazahous v. CCSF, et al.] Ordinance authorizing settlement of the litigation of Cazahous v. City and County of San Francisco, et al., by payment of \$30,000. (Superior Court No. 985-824). (City Attorney) Referred to Rules Committee.

Resolutions Referred to Committee

File 98-0698. [Gift Acceptance, Public Utilities Commission] Resolution accepting fifteen (15) streetlights and poles (estimated at \$35,000) as a gift to light the Vallejo Crest. (Public Utilities Commission) Referred to Rules Committee.

File 98-0741. [Lease of Real Property, 1380 Howard Street] Resolution authorizing an extension and renewal of an existing lease of real property at 1380 Howard Street, San Francisco, for a term of ten years commencing July 1, 1998 at a fixed monthly rent of \$107,000 per month for the Mental Health Division of the Department of Public Health. (Real Estate Department) Referred to Finance Committee.

File 98-0742. [Lease of Property, 965 Mission Street] Resolution authorizing a lease of real property at 965 Mission Street, San Francisco, for the Department of Human Services. (Real Estate Department) Referred to Finance Committee.

File 98-0743. [Stop Intersections] Resolution designating certain intersections as "STOP" intersections. DPT Order No. 1494. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-0744. [Parking Regulations, Various Locations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1494. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-0745. [Traffic Regulations, Various Streets] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1494. (Department of Parking and Traffic) Referred to Housing and Neighborhood Svcs Committee.

File 98-0746. [Agreement, Sheriff/Mr. Ben Dorcy] Resolution authorizing the San Francisco Sheriff's Department to enter into agreement with Mr. Ben Dorcy for mandatory certified CPR and First Aid Training, which agreement provides for mutual indemnification from claims or other damages which arise as a result of performance under said agreement. (Sheriff) Referred to Housing and Neighborhood Svcs Committee.

File 98-0747. [Agreement, Sheriff/Dr. George Bach-Y-Rita] Resolution authorizing the Sheriff's Department to enter into a professional services agreement with George Bach-Y-Rita, M.D., which provides for indemnification of Dr. Bach-Y-Rita from compensatory damages for negligent formation of his professional opinion as to psychological suitability of applicants for employment as Deputy Sheriffs in San Francisco County. (Sheriff) Referred to Housing and Neighborhood Svcs Committee.

File 98-0748. [Agreement, Sheriff - Interactive Systems] Resolution authorizing the San Francisco Sheriff's Department to enter into an agreement with Interactive Systems, LLC for VINE, an automated victim notification service, which agreement provides for mutual indemnification from claims or other damages which arises as a result of performance under said agreement. (Sheriff) Referred to Housing and Neighborhood Svcs Committee.

File 98-0749. [Agreement, Airport/Department of Transportation] Resolution authorizing Airport Commission to enter into an agreement with the Department of Transportation, State of California, for the following programs: 1) Seismic Safety Retrofit Program; 2) Highway Bridge Replacement & Rehabilitation (HBRR) Program; and 3) Bridge Inspection Program and to accept reimbursement funds for projects covered by these programs. (Airport) Referred to Finance Committee.

File 98-0750. [Agreement, DPH/Department of Rehabilitation] Resolution authorizing the Department of Public Health, Public Health Division, Community Mental Health Services to enter retroactively into a Cooperative Program Agreement with the Department of Rehabilitation San Francisco District, including a required match of \$160,605, and which does not include patent infringement indemnification and false claims clauses, to provide vocational services to mentally-ill psychiatric clients. (Department of Public Health) Referred to Health, Family and Environment Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that letter of inquiry be sent to the Chief Medical Examiner-Coroner to determine why the Coroner's office is not in compliance with Cal-OSHA standards concerning use of

Monday, May 11, 1998

needles, what steps will be taken to rectify the ten other serious violations cited by Cal-OSHA and what additional measures will be taken to safeguard the City employees who work within the department.

By Supervisor Ammiano, that letter be sent to Director of Public Health to inquire what the Department's position is on the use of Viagra in conjunction with Protease Inhibitors and Nitrates and what steps will be taken with the research data available to safeguard against any health related problems.

By Supervisor Ammiano, that City Attorney prepare appropriate legislation for stall assignments at the Alemany Farmers Market based on a formula of tenure, product demand and crop season.

By Supervisor Katz, that letters be sent to Office of Emergency Services, Fire Department, Police Department, Port, Department of Public Health, Recreation and Park Department and Director of Elections to determine whether or not they intend to include a line item for funding of the geographic information system (GIS) in the fiscal year 1998-99 budget; and if not, why not.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Joan Salz Sinton (Supervisor Kaufman)
John L. Boyte, Jr. (Supervisor Teng)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 7:53 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 6, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, May 18, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 18, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Quorum present.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Teng, moved that the Journal of Proceedings for Monday, April 6, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Public Defender's Office]

Ordinance appropriating \$100,207, Public Defender's Office, from the General Fund Reserve for salaries and fringe benefits and for the creation of two (2) new positions; companion measure to File 98-0485. (Controller)

File 98-0484, Ordinance No. 177-98

Finally passed.

[Salary Ord. Amendment, Public Defender's Office]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Public Defender's Office, reflecting the creation of two (2) new positions (Class 8174 Attorney, Civil and Criminal); companion measure to File 98-0484. (Department of Human Resources)

File 98-0485, Ordinance No. 178-98

Finally passed.

[Appropriation, Dept. of Public Health]

Ordinance appropriating \$15,501,323, Department of Public Health, San Francisco General Hospital and Laguna Honda Hospital, of Medical Revenues in excess of budget estimates to fund increased salaries, fringe benefits, professional services, materials, equipment and facilities maintenance and the creation of 75.70 positions for fiscal year 1997-98; companion measure to File 98-0632. (Mayor Willie L. Brown, Jr.)

File 98-0631, Ordinance No. 180-98

Finally passed.

[Salary Ordinance Amendment, Dept. of Public Health]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Public Health

Monday, May 18, 1998

- Community Health Network, reflecting the creation of 75.70 positions; companion measure to File 98-0631. (Mayor Willie L. Brown, Jr.)

File 98-0632, Ordinance No. 181-98

(Fiscal Impact.)

Finally passed.

[Appropriation, Department of Public Works]

Ordinance appropriating \$22,477,779, Department of Public Works, from the General Fund Reserve to fund the construction of City Hall for fiscal year 1997-98. (Mayor Willie L. Brown, Jr.)

File 98-0633, Ordinance No. 176-98

(Fiscal Impact.)

Finally passed.

Adopted

[Lease Amendment, 680 Eighth Street]

Resolution authorizing an amendment to a lease of real property at 680 Eighth Street, San Francisco, for the Department of Public Health to provide for an increase in administrative space for Perinatal Outreach and Education Programs. (Real Estate Department)

File 98-0656, Resolution No. 391-98

Adopted.

[Lease Amendment, 3801 Third Street]

Resolution authorizing a lease of real property at 3801 Third Street, San Francisco, for the Department of Public Health, to provide space for use as administrative offices of the Home Visiting Demonstration Program, funded for three years by a State grant which was previously approved by the Board of Supervisors. (Real Estate Department)

File 98-0657, Resolution No. 392-98

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Subcontract, District Attorney/Police Officer Training]

Resolution authorizing the District Attorney to retroactively contract for, accept, and expend funds in the amount of Twenty-Eight Thousand Dollars (\$28,000), which includes indirect costs of One Thousand Five Hundred and Forty-Seven Dollars (\$1,547), which have been allocated from Community United Against Violence ("CUAV"), a San Francisco-based non-profit organization, for a project entitled "D.H.S.-Funded Lesbian, Bisexual, and Transgendered Women's Project" for the twenty-four month period, July 1, 1997, through June 30, 1999. (District Attorney)

File 98-0584, Resolution No. 387-98

Adopted.

[State Grant - Violence Against Women]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$110,000 available through the Office of Criminal Justice Planning for a project entitled "Violence Against Women Vertical Prosecution - Elder Abuse" for the twelve month period, March 1, 1998, through February 28, 1999, and waiving indirect cost due to funding constraints. (District Attorney)

File 98-0585, Resolution No. 388-98

Adopted.

Recommendation of Economic Development, Transportation and Technology Committee

Adopted

[Revocable Permit, 470 Florida Street]

Resolution granting revocable permission to Project Artaud Corporation to construct an entrance including four risers with handrails, wheelchair lift with an enclosure, security grille and a marquee for A Traveling Jewish Theatre at 470 Florida Street (Block 3969, Lot 1) and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0590, Resolution No. 389-98

Adopted.

Recommendations of Rules Committee

Passed on First Reading

[Wayne Quan, v. CCSF, et al]

Ordinance authorizing settlement of litigation of Wayne Quan against James Robinson and the City and County by payment of \$45,000. (City Attorney)

File 98-0652, Ordinance No.

(Superior Court No 981-627.)

Passed on first reading.

Adopted

[Appointments]

Resolution appointing members to the Sunshine Ordinance Task Force, terms expired, for new two year terms ending April 27, 2000. (Rules Committee)

File 98-0794, Resolution No. 413-98

(Bruce Brugmann, succeeding himself, Seat No. 27102, must be local journalist nominated by Society of Professional Journalists; David Pilpel, succeeding himself, Seat No. 27108, must be member of public experienced in consumer advocacy; Ruach Graffis, succeeding herself, Seat No. 27114, must be member of public with interest/experience in local government; Amelia Ashley-Ward, succeeding Enrique Ramirez, Seat No. 27109, must be member of public experienced in consumer advocacy.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Teng assumed the Chair.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

(Supervisor Kaufman excused from voting.)
(See Journal of Proceedings of May 11, 1998.)

[Bond Pass Through]

Ordinance amending Administrative Code to permit landlords to pass through to tenants any increase in the property tax rate imposed as a result of a ballot measure approved by the voters between November, 1996 and November, 1998. (Mayor Willie L. Brown, Jr., Supervisors Yaki, Teng, Bierman, Brown, Yee)

File 98-0521, Ordinance No. 179-98

(Amends Sections 37.2, 37.3 and 37.8.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Brown, Katz, Leno, Medina, Newsom, Teng, Yaki, Yee - 9.

Noes: Supervisor Ammiano - 1.

Excused: Supervisor Kaufman - 1.

The President resumed the Chair.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Appropriation, Public Utilities Commission]

Ordinance appropriating \$310,580, Public Utilities Commission, Water Department, from the Water Department Operating Fund Balance, to fund with associated costs the implementation of safe drinking water and seismic reliability capital improvement programs (Propositions A and B) and creation of fifteen (15) positions for fiscal year 1997-98; companion measure to File 98-0687. (Controller)

File 98-0686, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Salary Ordinance Amendment, PUC-Water Dept.]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Public Utilities Commission - Water Department, reflecting the creation of fifteen (15) new positions; companion measure to File 98-0686. (Department of Human Resources)

File 98-0687, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Camp Mather Fees]

Ordinance amending the Park Code approving fees for Camp Mather. (Recreation and Park Department)

File 98-0491, Ordinance No.

(Adds Article 12, Sections 12.01 through 12.04.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Parking Meter Rates]

Ordinance amending Traffic Code, relating to parking meter rates. (Department of Parking and Traffic)

File 98-0651, Ordinance No.

(Amends Sections 203.1 through 203.4, inclusive.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Equipment Lease Financing, 911 Center]

Resolution approving the issuance of Lease Revenue Bonds (aggregate amount not to exceed \$60,000,000) of the City and County San Francisco Finance Corporation; approving the form and authorizing the execution and delivery of an equipment lease between the City and County of San Francisco Finance Corporation (the "Corporation"), as lessor, and the City and County (the "City"), as lessee, relating to the equipment (including certain indemnification provisions therein); approving the form and authorizing the execution and delivery of an Indenture of Trust among the corporation, the City and the trustee; approving the form and authorizing the execution and delivery of a Continuing Disclosure Certificate relating to said Bonds; approving the circulation of an official statement relating to said Bonds; authorizing the payment of certain costs of issuance from the proceeds of such Bonds; ratifying previous actions taken in connection with the foregoing matters; adopting findings under the California Environmental Quality Act and findings pursuant to City Planning Code Section 101.1; and authorizing the taking of appropriate actions in connection therewith. (Mayor's Office of Finance and Legislative Affairs)

File 98-0690, Resolution No. 393-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Estate of Zygmunt Arendt]

Resolution authorizing the Public Administrator to act as the personal representative of the Mayor and Board of Supervisors for the purpose of probating the estate of Zygmunt Arendt and authorizing the Public Administrator to seek approval from the Probate Court for the appointment of the Executive Director of the Department of Human Services to manage distribution of the estate under the oversight of the Mayor and Board of Supervisors. (Supervisor Kaufman)

File 98-0722, Resolution No. 394-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Economic Development, Transportation
and Technology Committee

Consideration Continued

Appointment of President Pro Tempore

At the request of the President, Supervisor Teng assumed the Chair so the President could testify on the following item.

The President resumed the chair shortly thereafter.

[Motor Fuel Prices]

Ordinance amending Administrative Code to require refiners of motor fuels to divorce company-owned service stations in the City and County, to preclude refiners from owning service stations in San Francisco in the future, and barring discrimination by refiners in the wholesale prices charged to service stations in San Francisco. (Supervisors Yaki, Leal, Brown, Bierman)

File 97-97-57, Ordinance No.

(Adds Chapter 80, Sections 80.1 through 80.9.)

Supervisor Yaki, seconded by Supervisor Teng, moved to continue consideration to June 8, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[PTC Agreement, Transit Passes and Tickets]

Resolution authorizing retroactively, an indemnity provision in agreements between the City's Public Transportation Commission and Bay Area Public Transit Operators for delivery and sale of transit passes

and tickets. (Public Transportation Commission)

File 98-0592, Resolution No. 390-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendation of Rules Committee

Adopted

[Sunshine Ordinance Task Force]

Resolution establishing a policy to involve the Sunshine Task Force in the consideration and review of proposed amendments to the City's Sunshine Ordinance. (Supervisor Ammiano)

File 98-0530, Resolution No. 386-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Vernon, oppose Willie Brown;
Cindy Romanofsky, eviction of disabled parents;
Carmen Ramirez, Lake Merced;
Robert Pender, oppose bond interest pass-through;
Male Speaker, police harassment;
Rose Melendez, "Tier II" police retirement;
Jim Keener, oppose bond interest pass-through;
Christian Lightner, Bike to Work Day.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Appointment of President Pro Tempore

At the request of the President, Supervisor Teng assumed the Chair.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney regarding pending litigation in the case of O'Hara v. City and County of San Francisco, California Court of Appeals No. A082474; S.F. Superior Court No. 992-704 (Owner-Move-In Litigation). The closed session will be held pursuant to Government Code Section 54956.9(a) and Administrative Code Section 67.11(b).

Supervisors Kaufman, Newsom, Yee Excused from Voting

Supervisors Kaufman, Newsom, Yee were previously excused from voting because of a possible conflict of interest. See Journal of Proceedings of April 13, 1998.

The roll was then called on the main motion and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Excused: Supervisors Kaufman, Newsom, Yee - 3.

Recess

The Board recessed at the hour of 4:11 p.m. to convene in closed session.

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Reconvening the Board

The Board, at the hour of 4:33 reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Leno, Medina, Teng, Yaki - 7.

Noted absent:

Supervisors Katz, Kaufman, Newsom, Yee - 4.

Quorum present.

Supervisor Katz was noted present at 4:34 p.m.

Report on Closed Session

Deputy City Attorney Tom Owen reported that the Board had met in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney regarding pending litigation in the case of O'Hara v. City and County of San Francisco, California Court of Appeals No. A082474; S.F. Superior Court No. 992-704 (Owner-Move-In Litigation) pursuant to Government Code Section 54956.9(a).

The meeting was informational only and no action was taken.

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the possible litigation.

Supervisor Brown, seconded by Supervisor Leno, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Consideration Continued

[State Legislation, AB 2260]

Resolution supporting AB 2260 which would require the State Department of Health Services, through the childhood lead poisoning prevention program, to establish fifteen pilot projects to perform outreach and treatment for childhood lead poisoning in counties throughout the State identified as having the highest risk of lead poisoning. (Supervisors Bierman, Teng, Brown, Katz, Medina)

File 98-0713, Resolution No.

(May 11, 1998 - Consideration continued to May 18, 1998.)

Supervisor Bierman, seconded by Supervisor Teng, moved to continue consideration to May 26, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Monday, May 18, 1998

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commendation]

Resolution recognizing and commending Philip Choy, Alexander Weiss and the Angel Island Immigration Station Foundation for their roles in preserving the rich history of Angel Island Immigration Station for generations to come. (Supervisors Teng, Ammiano, Bierman, Brown, Katz, Medina, Newsom, Leno)

File 98-0768, Resolution No. 395-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Leno requested to be added as co-sponsors.

[Angel Island, National Historic Landmark]

Resolution remembering Angel Island's historic role in the anti-immigrant movement and taking great pride in recognizing the momentous designation of Angel Island Immigration Station as a National Historic Landmark. (Supervisors Teng, Ammiano, Bierman, Brown, Katz, Medina, Newsom, Leno)

File 98-0769, Resolution No. 396-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Leno requested to be added as co-sponsors.

[Commend Lejon Loggins]

Resolution commending Lejon Loggins for his courage and bravery in saving the lives of members of the Singleton family. (Supervisors Brown, Bierman, Teng, Newsom, Katz, Medina)

File 98-0770, Resolution No. 397-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Newsom, Katz, Medina requested to be added as co-sponsors.

[Older Americans Month]

Resolution recognizing the seniors in our City and declaring May 1998 as Older Americans Month. (Supervisors Kaufman, Bierman, Teng, Newsom, Brown, Katz, Leno, Medina)

File 98-0771, Resolution No. 398-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Newsom, Brown, Katz, Leno, Medina requested to be added as co-sponsors.

[Emergency Medical Services Week]

Resolution declaring the week of May 17-23, 1998 as Emergency Medical Services Week. (Supervisors Kaufman, Bierman, Newsom, Katz, Medina, Brown)

File 98-0772, Resolution No. 399-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Katz, Medina, Brown requested to be added as co-sponsors.

[Drug Court Week]

Resolution declaring the week of June 1-7, 1998 as Drug Court Week. (Supervisors Kaufman, Teng, Newsom, Brown, Katz, Medina)

File 98-0773, Resolution No. 400-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Newsom, Brown, Katz, Medina requested to be added as co-sponsors.

[Commend Agnes Albert]

Resolution commending Ms. Agnes Albert for her contributions to the San Francisco Symphony and celebrating her 90th birthday. (Supervisors Leno, Teng, Newsom, Katz, Medina)

File 98-0774, Resolution No. 401-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Newsom, Katz, Medina requested to be added as co-sponsors.

[Commendation]

Resolution commending the San Francisco Museum of Modern Art for its Keith Haring Exhibit and celebrating the art and memory of Keith Haring. (Supervisors Leno, Teng, Newsom, Bierman, Katz, Medina)

File 98-0775, Resolution No. 402-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Newsom, Bierman, Katz, Medina requested to be added as co-sponsors.

[State Legislation, SB 1968]

Resolution urging the California State Legislature to enact into law SB 1968 which prohibits employers with more than 20 employees from discriminating in payment of wages between full-time and part-time employees, except with respect to seniority. (Supervisors Medina, Bierman, Newsom, Katz, Leno)

File 98-0776, Resolution No. 403-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Katz, Medina requested to be added as co-sponsors.

[State Legislation, SB 1686]

Resolution urging the California State Legislature to support SB 1686, a bill changing the California State Education Code to comply with the Federal Individuals with Disabilities Education Act, in order that the State may qualify for Federal funds available for the education of individuals with exceptional needs. (Supervisors Yaki, Bierman, Newsom, Brown, Katz, Leno, Medina)

File 98-0777, Resolution No. 404-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Brown, Katz, Leno, Medina requested to be added as co-sponsors.

[State Legislation, AB 2188]

Resolution urging the California State Legislature to support AB 2188, a bill that would establish a certification process for firearms manufacturers and mandate reporting requirements for all lost or

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stolen firearms. (Supervisors Yaki, Bierman, Newsom, Brown, Katz, Leno, Medina)

File 98-0778, Resolution No. 405-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Brown, Katz, Leno, Medina requested to be added as co-sponsors.

[State Legislation, SB 1901]

Resolution endorsing SB 1901 which would benefit grandparents and other relative child care providers. (Supervisors Bierman, Brown, Katz, Leno, Medina)

File 98-0780, Resolution No. 406-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Leno, Medina requested to be added as co-sponsors.

[State Legislation, SCA 30]

Resolution supporting Senate Constitution Amendment 30 which would amend the California Constitution to prohibit the State or a local government from entering into any contract, franchise agreement or other arrangement in which all or any portion of a public safety service, including fire, police, sheriff, probation or other peace office services, would be provided by private means. (Supervisors Bierman, Medina)

File 98-0781, Resolution No. 407-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[State Legislation, SB 1809]

Resolution supporting SB 1809 relating to elderly abuse reform efforts. (Supervisors Brown, Bierman, Katz, Leno, Medina)

File 98-0782, Resolution No. 408-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Medina requested to be added as co-sponsors.

[State Legislation, AB 2389]

Resolution opposing AB 2389 which would limit a woman's right to choose an abortion in the State of California. (Supervisors Kaufman, Bierman, Katz, Leno, Medina)

File 98-0783, Resolution No. 409-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Medina requested to be added as co-sponsors.

[State Legislation, SB 1735]

Resolution urging the California State Legislature and Governor Pete Wilson to approve SB 1735, relating to civil rights. (Supervisors Leno, Medina, Bierman, Brown, Katz)

File 98-0784, Resolution No. 410-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Katz requested to be added as co-sponsors.

[Keith Haring Artwork]

Resolution urging the Art Commission to consider the viability of purchasing a Keith Haring sculpture for the San Francisco Art Collection. (Supervisors Ammiano, Bierman, Leno, Katz)

File 98-0786, Resolution No. 411-98

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Katz requested to be added as co-sponsor.

[Winter Storms 1998 Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. (Supervisors Kaufman, Ammiano, Katz, Bierman, Medina, Leno, Newsom, Brown)

File 98-0779, Motion No. M98-65

(May 11, 1998 - Introduced in Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsors.

[Grant-Private]

Resolution authorizing the Department of Public Health, Public Health Division, Community Health Services, to accept retroactively and expend grant funds of \$15,000 from the Public Health Institute to provide health promotion and education services to youth at Balboa High School; and to enter into an agreement which does not include patent infringement indemnification and false claim clauses. (Supervisors Bierman, Brown, Medina)

File 98-0793, Resolution No. 382-98

(May 12, 1998 - Referred to Board for consideration on May 18, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Brown, seconded by Supervisor Leno, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Brown, seconded by Supervisor Leno, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

[Imperative Resolution]

Adopted

[Proclaim William Alexander Leidesdorff Day]

Resolution declaring May 18, 1998 as William Alexander Leidesdorff Day.

File 98-0807, Resolution No. 412-98

Supervisors Kaufman, Bierman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Non-Profit Organizations, Public Access]

Substitute draft ordinance amending Administrative Code by adding Chapter 12K, Sections 12K.1 through 12K.9, to create requirements in contracts between the City and non-profit organizations that ensure public access to records and meetings of the Board of Directors of the non-profit organization and by amending Section 67.30 by adding subsection 67.30(D) to specify the powers possessed by the Sunshine Ordinance Task Force. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-0666.

[Skate Transit Pilot Program]

Ordinance amending Traffic Code Section 100 to revise provisions regulating the use of roller skates and by adding Sections 100.1 to 100.6, inclusive, to regulate the use of roller skates and in-line skates on certain roadways and sidewalks; providing for sunset provision (expires December 31, 1999). Supervisors Ammiano, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0804.

[Moratorium, Owner Move In]

Ordinance amending Administrative Code Section 39.7(g) to provide procedures to qualify senior, disabled and catastrophically ill tenants for protection from eviction during the temporary moratorium on evictions for owner/relative move-ins; and making clarifying and technical changes. Supervisors Ammiano, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 98-0805.

[Sunshine Ordinance Task Force Membership]

Ordinance amending Administrative Code Section 67.30 to delete the requirement for the selection of two members of the Sunshine Ordinance Task Force from names submitted by the local chapter of the Society of Professional Journalists. Supervisor Brown presented. Referred to Rules Committee.

File 98-0806.

[Mental Health Division Trust Fund]

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Substitute resolution urging the City and the Department of Public Health, Department of Human Services, Juvenile Probation Department, San Francisco Unified School District, Mayor's office of Children, Youth and Families, and the Mayor's Office of Criminal Justice to create a Children, Youth and Family Reinvestment Project Fund which allows a portion of demonstrated savings from lower utilization of high-end services and any new revenues generated by blended funding strategies adopted through interagency collaboration to be reinvested into prevention and early intervention programs. Supervisor Yee presented. Referred to Finance Committee.

File 98-0536.

Referred to Board

[Commend Community Parks Task Force]

Resolution commending the Co-Chairs to the Community Parks Task Force for their work in preparing the Parks Plan (Anne Halsted, Isabel Wade, Roberta Achtenberg, Jim Lazarus, Roslyn Payne). Supervisors Newsom, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0808.

[Commend Joel Robinson]

Resolution supporting and congratulating Joel Robinson for the implementation of Phase One in the wholesale restructuring of the Recreation and Park Department. Supervisors Newsom, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0809.

[Medical Marijuana Distribution Summit]

Resolution commending State Senator John Vasconcellos and District Attorney Terence Hallinan for sponsoring a "Medical Marijuana Distribution Summit" to be held May 26, 1998 at the State Capitol. Supervisor Amniano presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0810.

[Nuclear Weapons]

Resolution commending President Clinton and President Yeltsin on their efforts to advance treaties intended to prevent proliferation, to ban test explosions and to control, limit and reduce nuclear weapons and urge all presidents, prime ministers, generals, admirals and others to immediately abolish nuclear weapons from the face of the earth. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0811.

[Commend John Burton]

Resolution honoring State Senator John Burton for being named San Francisco State University's 1998 Alumnus of the Year. Supervisors Katz, Newsom, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0812.

[Proclaim Eric Livingston Day]

Resolution recognizing Eric Livingston on the occasion of his 100th Birthday and declaring May 31, 1998 as Eric Livingston Day. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0813.

[State Legislation, SB 1950]

Resolution supporting Senate Bill 1950, Emergency Housing Assistance Program. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0814.

Referred to Committee

[International Tobacco Control]

Resolution urging the United States Congress to include the International Tobacco Control Legislative Package in any national tobacco legislation, including the "Bipartisan No Tobacco For Kids Act of 1998". Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 98-0815.

[Community Parks Task Force Plan]

Resolution adopting the Community Parks Task Force Plan as policy for the City and County and recognizing a need for continued cooperation and discussion with Recreation and Park Department and neighborhood groups to refine and apply the Parks Plan recommendations. Supervisors Newsom, Brown, Leno, Kaufman presented. Referred to Parks and Recreation Committee.

File 98-0816.

Referred to Board

[Senior Protection Fund]

Resolution urging the Mayor's Office of Housing to create a Senior Protection Fund and urging the Rent Board in conjunction with the Owner Move In Task Force to compile data and report back to the Board of Supervisors within 30 days on suggesting criteria for a Senior Protection Fund for relocation costs for seniors over 60 years old who have lived in their apartment for over 10 years. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0817.

Referred to Committee

[Bonds, California Academy of Sciences]

Resolution determining and declaring that the public interest and necessity demand the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of the following municipal improvement to wit: rehabilitation, renovation, improvement, construction and/or reconstruction of the California Academy of Sciences and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$79,880,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53. Supervisors Yaki, Kaufman presented. Referred to Finance Committee.

File 98-0818.

Referred to Board

[Community Policing Program]

Resolution urging the Police Department to expand its community policing program within the Police Department. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0819.

[School Traffic Safety Measures]

Resolution urging the Department of Parking and Traffic to work with the San Francisco Parent Teacher Association (PTA), safety organizations and other applicable City departments to implement school traffic safety measures. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0820.

Referred to Committee

[Competitive Bidding Exemption]

Ordinance waiving competitive bid requirements for the San Francisco Port Commission's award of public works contracts to the California Conservation Corps, the San Francisco Conservation Corps and the San Francisco League of Urban Gardeners for performance of wetlands enhancement and public access activities at Pier 98. Supervisors Katz, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0821.

[Grant, State Funds]

Resolution authorizing the Executive Director, Port of San Francisco, to accept and expend \$500,000 in State Coastal Conservancy for the Pier 98 wetlands and public access enhancement and foregoing reimbursement of indirect costs; and authorizing the Port to hold the State of California harmless as

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required in the grant agreement. Supervisors Katz, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0822.

[Grant, State Funds]

Resolution authorizing the Executive Director, Port of San Francisco, to accept and expend \$92,000 in State funds from the Association of Bay Area Governments (ABAG) for construction of the San Francisco Bay Trail at Pier 98 and designation of a bike route on Cargo Way and foregoing reimbursement of indirect costs; and authorizing the Port to hold ABAG harmless as required in the cooperative funding agreement. Supervisors Katz, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0823.

Referred to Board

[Muwékma Ohlone Tribe/Presidio]

Resolution urging the Presidio Trust and the National Park Service to accommodate the requests of the Muwékma Ohlone Tribe. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0824.

[Commend Walt Whitman Community School]

Resolution commending the Walt Whitman Community School for its support of gay, lesbian, bi-sexual and transgender youth. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0835.

Charter Amendments:

Referred to Committee

[Charter Amendment, Customer Service Plan]

Charter amendment (First Draft) adding Section 16.120 to require each department of the City and County to adopt a Customer Service Plan. Supervisor Newsom presented. Referred to Rules Committee.

File 98-0825.

[Charter Amendment, Taxi Commission]

Charter amendment (First Draft) adding Section 4.133 creating a Taxi Commission to succeed to the powers and responsibilities relating to motor vehicles for hire now vested in the Police Commission and Police Department. Supervisor Newsom presented. Referred to Rules Committee.

File 98-0826.

[Charter Amendment, Police Officer Retirement]

Charter amendment (First Draft) amending Appendix A8.559 and A8.586 relating to retirement benefits for police officers (to upgrade the tier II retirement benefits for police officers and to cap the amount of post pay that can be included in pension calculations). Supervisors Kaufman, Newsom, Teng presented. Referred to Rules Committee.

File 98-0827.

[Charter Amendment, Firefighter Retirement]

Charter amendment (First Draft) amending Appendix A8.588 relating to retirement benefits for firefighters who were previously paramedics. Supervisor Medina presented. Referred to Rules Committee.

File 98-0828.

[Charter Amendment, Health Care Purchasing Authority.]

Charter amendment (First Draft) adding Sections 12.204 through 12.212 to create a Health Care Purchasing Authority to procure health care benefits for (1) certain active, retired and former employees and officers of the City and County, San Francisco Unified School District, San Francisco Community College District and the dependents of such individuals, (2) employees of private employers, self employed residents and the dependents of such individuals and (3) certain government-sponsored individuals. Supervisor Katz presented. Referred to Rules Committee.

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File 98-0829.

Requests for Hearings:

[Explosion, 1450 19th Avenue]

Hearing to consider the cause of the explosion at 1450 19th Avenue. Supervisors Yee, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 98-0830.

[Lake Merced]

Hearing to examine the environmental concerns surrounding Lake Merced and the Public Utilities Commission's ability to implement past Board of Supervisors and Commission resolutions. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 98-0831.

Motions:

Referred to Board

[Zoo Audit Priority]

Motion requesting that the Zoo management component of the Joint Recreation and Park and Zoo Management audit be conducted at the conclusion of the San Francisco Police Department audit. Supervisors Ammiano Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0832.

[Suspend 30 Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, an ordinance prohibiting City departments from opening bank accounts for city money without written permission of the Treasurer. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0833.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar May 26, 1998.

File 98-0834.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0311. [Regulation of Lobbyists] Substitute ordinance amending Article X11A of the San Francisco Administrative Code by amending Sections 16.520 through 16.534 to: add Legislative findings; clarify definitions and add new definitions; consolidate the definition of "Lobbyist" with the thresholds for qualifying as a lobbyist and the exemptions; increase the qualification threshold for contract lobbyists from \$1,000 per month to \$4,200 per quarter; increase the qualification threshold for expenditure lobbyists from \$1,000 per quarter to \$4,200 per quarter; clarify and add new exemptions; clarify that once a person qualifies as a "Lobbyist" the person is subject to the requirements and prohibitions of this Article until the person ceases all lobbyist activity and files a statement of termination; require that lobbyist report contacts with and payments that benefit certain designated employees as well as City officers; clarify the disclosure requirements applicable at the time of registration and at the time of filing quarterly activity reports; provide that all lobbyists re-register on January 15 of each year; require lobbyists to disclose payments received from City officers in exchange for campaign consulting services; limit the aggregate value of gifts from lobbyists to each City officer and to certain designated employees, within three months of a lobbyist contact, to \$50; prohibit lobbying on a contingency fee basis; require lobbyists to notify City officers and designated employees of the value of gifts conferred; limit political contributions by lobbyists; and add transition provisions for implementation of these amendments. (Ethics Commission) Referred to Rules Committee.

File 98-0738. [PUC Short-Term Indebtedness] Substitute ordinance amending Administrative Code by adding Chapter 84 to provide a procedure for the issuance by the Public Utilities Commission of the

City and County of San Francisco of commercial paper and other short-term indebtedness in anticipation of the issuance of revenue bonds. (City Attorney) Referred to Finance Committee.

File 98-0795. [Permit Regulations, Horse-Drawn Vehicle Companies] Ordinance amending Police Code by adding Article 7.1 providing regulations for the operation of horse-drawn vehicle companies and horse-drawn vehicle drivers. (Police Commission) Referred to Housing and Neighborhood Services Committee.

File 98-0801. [Zoya Dayter, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Zoya Dayter against the City and County of San Francisco by payment of \$42,500. (Superior Court No. 983-167). (City Attorney) Referred to Rules Committee.

Resolutions Referred to Committee

File 98-0791. [Hold Harmless Agreement] Resolution authorizing the Chief of Police to execute a hold harmless agreement with the Santa Clara County Department of Corrections and TFP Inc. concerning participation of the San Francisco Police Department in the Western-DIN network for enhanced access and sharing of digital mugshot images. (Police Commission) Referred to Housing and Neighborhood Svcs Committee.

File 98-0792. [Prop J Contract, Shuttle Bus Services] Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the first half of the fiscal year commencing July 1, 1998 than if work were performed by City and County employees. (Airport) Referred to Finance Committee.

File 98-0796. [Emergency Repair, Pier 24 and 24-1/2] Resolution approving a declaration of emergency for construction work to repair a collapsed pier at Pier 24 and 24-1/2, Port of San Francisco - \$248,386.00. (Port) Referred to Finance Committee.

File 98-0797. [Prop J Contract, Jail Food Services] Resolution approving the Controller's certification that County Jail food service management operations for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1998, than if work were performed by City and County employees. (Sheriff) Referred to Finance Committee.

File 98-0798. [Prop J Contract, Own Recognizance Project] Resolution approving the Controller's certification that the San Francisco "O.R." Project for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1998, than if work were performed by City and County employees. (Sheriff) Referred to Finance Committee.

File 98-0799. [Prop J Contract, Pre-Trial Diversion Program] Resolution approving the Controller's certification that the Pretrial Diversion Program for the City and County of San Francisco can practically be performed by private contractor at a lower cost for the year commencing July 1, 1998, than if work were performed by City and County employees. (Sheriff) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Newsom, that letter of inquiry be sent to General Manager, Municipal Railway, requesting quarterly reports on the Ambassador/Friends of MUNI Program, the CD ROM driver training tool and the free ride card program for the next twelve months.

By Supervisors Teng, Bierman, that letters be sent to Chief, Fire Department and Chief, Police Department, requesting comprehensive report into the investigation of the explosion and fire that took place on May 17, 1998 at 1450 19th Avenue within 14 days. File 98-0830.

By Supervisor Ammiano, that letter be sent to Chief of Police supporting the prompt investigation of the recent police shooting of 17 year old Sheila Detoy and requesting a report to the Board about the results of the investigation and his review of Police Department policy regarding the use of firearms.

By Supervisor Kaufman, that City Attorney draft ordinance to amend Municipal Code, Part III, Article 15 concerning business improvement district procedures to bring this section into conformance with State law.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Joe Jung (By the entire Board)
Frank Sinatra (By the entire Board)
Brian Sullivan (Supervisor Bierman)

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Charles Gulbengay (Supervisor Bierman)
Arthur Struble (Supervisor Katz)
Dennis Carey (Supervisors Yee, Bierman)
Sheila Detoy (Supervisor Yee)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:40 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 20, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Tuesday, May 26, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, May 26, 1998 - 5:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in special session at the Southeast Community Facility, 1800 Oakdale Avenue, on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 5:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Katz - 1.

Quorum present.

Supervisor Katz excused. (See infra.)

Supervisor Katz Excused

The Clerk stated Supervisor Katz requested to be excused from attending today's meeting.

Supervisor Yee, seconded by Supervisor Teng, moved to excuse Supervisor Katz from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Dance Presentation

Supervisor Teng, seconded by Supervisor Brown, moved to suspend the Board's rule to permit dance presentation by youths to welcome the Supervisors and public to the Board of Supervisors' meeting held at the Southeast Community Facility.

No objection and motion carried.

The Bay View Hunters Point/Community Youth Park Foundation performed "Dance of Praise".

Presentation

Supervisor Brown, seconded by Supervisor Leno, moved to suspend the Board's rule in order to present certificate of honor to Lejon Loggins.

No objection and motion carried.

Each member of the Board of Supervisors joined Supervisor Brown in acknowledging the brave act of Lejon Loggins in alerting members of the Singleton family when fire developed in their home.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Teng, moved that the Journal of Proceedings for Monday, April 13, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Public Utilities Commission]

Ordinance appropriating \$310,580, Public Utilities Commission, Water Department, from the Water Department Operating Fund Balance, to fund with associated costs the implementation of safe drinking water and seismic reliability capital improvement programs (Propositions A and B) and creation of fifteen (15) positions for fiscal year 1997-98; companion measure to File 98-0687. (Controller)

File 98-0686, Ordinance No. 185-98

(Fiscal Impact.)

Finally passed.

[Salary Ordinance Amendment, PUC-Water Dept.]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Public Utilities Commission - Water Department, reflecting the creation of fifteen (15) new positions; companion measure to File 98-0686. (Department of Human Resources)

File 98-0687, Ordinance No. 187-98

(Fiscal Impact.)

Finally passed.

[Camp Mather Fees]

Ordinance amending the Park Code approving fees for Camp Mather. (Recreation and Park Department)

File 98-0491, Ordinance No. 182-98

(Adds Article 12, Sections 12.01 through 12.04.)

Finally passed.

[Parking Meter Rates]

Ordinance amending Traffic Code, relating to parking meter rates. (Department of Parking and Traffic)

File 98-0651, Ordinance No. 183-98

(Amends Sections 203.1 through 203.4 inclusive.)

Finally passed.

Adopted

[Lease of Property, 965 Mission Street]

Resolution authorizing a lease of real property at 965 Mission Street, San Francisco, for the Department of Human Services to operate an employment assistance center for General Assistance (GA) recipients under the Department of Human Services Work Public Assistance Employment Services (Work PAES) program. (Real Estate Department)

File 98-0742, Resolution No. 422-98

Adopted.

Recommendations of Rules Committee

Finally Passed

[Wayne Quan, v. CCSF, et al]

Ordinance authorizing settlement of litigation of Wayne Quan against James Robinson and the City and

County by payment of \$45,000. (City Attorney)

File 98-0652, Ordinance No. 184-98

(Superior Court No 981-627.)

Finally passed.

Recommendations of Health, Family and Environment Committee

Adopted

[Grant, Crisis Counseling and Stress Management]

Resolution authorizing the Department of Public Health, Public Health Division, Community Health Services Branch, Community Mental Health Services, to accept retroactively and expend grant funds of \$58,217 from the Federal Emergency Management Agency through the California Department of Mental Health Services to provide crisis counseling in emergency shelters and stress management services; waiving indirect costs. (Department of Public Health)

File 98-0589, Resolution No. 414-98

Adopted.

[Summer Food Service Program]

Resolution authorizing the Mayor to retroactively apply for, accept and expend \$696,925 from the United States Department of Agriculture (USDA) to sponsor the Summer Food Service Program for needy children. (Mayor's Office of Children, Youth and Their Families)

File 98-0591, Resolution No. 415-98

Adopted.

[Used Oil Recycling Grant]

Resolution authorizing the City Administrator or designee to accept and expend up to \$276,398 in oil recycling grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs. (City Administrator/Solid Waste Management Program)

File 98-0613, Resolution No. 416-98

Adopted.

[Private Grant, Dental Health Foundation]

Resolution authorizing the Department of Public Health, Public Health Division, Community Health Promotion and Prevention, to accept retroactively and expend grant funds of \$63,295 from the Dental Health Foundation to provide school-based dental screenings and sealants, and to enter into an agreement which does not include patent infringement indemnification and false claims clauses; waiving indirect costs. (Department of Public Health)

File 98-0648, Resolution No. 417-98

Adopted.

Recommendation of Economic Development, Transportation
and Technology Committee

Adopted

[Gift Acceptance, Public Utilities Commission]

Resolution accepting fifteen streetlights and poles (estimated at \$35,000) as a gift to light the Vallejo Crest. (Public Utilities Commission)

File 98-0698, Resolution No. 419-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

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Absent: Supervisor Katz - 1.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Appropriation, Dept. of Transportation - MUNI]
Ordinance appropriating \$34,862, Department of Transportation, Municipal Railway, of General Reserve Fund for salaries and fringe benefits and the creation of eight positions to extend the hours of operations of the Telephone Information Center and the Passenger Service Units for fiscal year 1997-98; companion measure to File 98-0739. (Controller)

File 98-0733, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Salary Ord. Amendment, Dept. of Transportation - MUNI]
Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Transportation - Municipal Railway, reflecting the creation of eight positions, (8 Class 9122 Transit Information Clerks); companion measure to File 98-0733. (Department of Human Resources)

File 98-0739, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Passed on First Reading as Amended

[Appropriation, DTIS/Administration Services]
Ordinance appropriating \$1,000,000, Department of Telecommunication and Information Services and the Administrative Services Department, from the General Fund Reserve-Network to finance the initial implementation of the Fiber Optic Network and the development of an Internet Processing Plan for fiscal year 1997-98; placing \$1,000,000 on reserve. (Controller)

File 98-0734, Ordinance No.

Supervisor Medina, seconded by Supervisor Teng, moved to amend title, line three, after "1997-98" by inserting "; placing \$1,000,000 on reserve"; amend page two, line 5 by inserting "Section 2. Placing \$1,000,000 on reserve to be released by the Finance Committee."

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Passed on first reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Passed on First Reading

[Membership List, Retirement System]
Ordinance amending Administrative Code, to add certain organizations to the membership list of the Employees Retirement System. (Supervisor Yaki)

File 98-0422, Ordinance No.

(Amends Section 16.6-29.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Teng assumed the Chair so the President could participate in the debate from the floor.

Privilege of the Floor

Supervisor Yaki, seconded by Supervisor Newsom, moved to suspend Rule 4.25 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Professor Kathleen Sullivan.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leal, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Professor Sullivan addressed first amendment issues as it relates to the following two items.

[Newsracks]

Ordinance amending Public Works Code, regulating the placement and maintenance of newsracks on public streets, sidewalks and rights-of-way to prohibit free-standing newsracks in specified areas of the City, authorizing the creation of fixed pedestal zones in specified areas of the City and authorizing the Director of Public Works to select and enter into agreements with vendors to provide and maintain fixed-pedestal newsracks. (Supervisors Kaufman, Teng)

File 98-0515, Ordinance No.

(Adds Section 184.12.)

Passed on first reading by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Newsom, Teng, Yaki, Yee - 7.

Noes: Supervisors Ammiano, Bierman, Medina - 3.

Absent: Supervisor Katz - 1.

[Newsrack Appeal]

Ordinance amending Municipal Code Part III, to provide for appeals to the Board of Appeals from decisions of the Director of Public Works concerning permits for fixed pedestal newsracks; companion measure to File 98-0515. (Supervisors Kaufman, Teng)

File 98-0516, Ordinance No.

(Amends Section 8.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

The President resumed the Chair.

Adopted

[Lease of Real Property, 1380 Howard Street]

Resolution authorizing a new lease of real property at 1380 Howard Street, San Francisco, for a term of ten years commencing July 1, 1998 at a fixed monthly rent of \$107,000 per month for the Mental Health Division of the Department of Public Health. (Real Estate Department)

File 98-0741, Resolution No. 421-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Agreement, Airport/Department of Transportation]

Resolution authorizing Airport Commission to enter into an agreement with the Department of Transportation, State of California, for the following programs: 1) Seismic Safety Retrofit Program; 2) Highway Bridge Replacement and Rehabilitation (HBRR) Program; and 3) Bridge Inspection Program and to accept reimbursement funds for projects covered by these programs. (Airport)

File 98-0749, Resolution No. 423-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Recommendations of Economic Development, Transportation
and Technology Committee

Passed on First Reading

[Taxicab Fare Rate Increase]

Ordinance amending Police Code to increase the rates of fare for taxicabs and to modify the procedure for setting rates of fare; and establishing an effective date. (Supervisor Newsom)

File 98-0334, Ordinance No.

(Amends Sections 1135 and 1137.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[Taximeter Reinspection Waiver]

Ordinance amending Administrative Code, to waive the fee charged for any retesting, reinspection or recertification of taximeters occasioned by a taxicab rate change adopted by the Board of Supervisors during 1998, subject to conditions. (Supervisor Newsom)

File 98-0517, Ordinance No.

(Adds Section 1.15.2.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

[MBE/WBE/LBE Utilization Ordinance III]

Ordinance amending Administrative Code, to set forth findings supporting a two-month extension of the MBE/WBE/LBE Ordinance - III and providing for the two-month extension. (Supervisors Brown, Bierman, Teng)

File 98-0701, Ordinance No.

(Adds Section 12D.2-5;

Amends Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12D.15(G).)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Adopted

[Tobacco Paraphernalia Interim Zoning Control]

Resolution extending Interim Zoning Controls for an additional six month period to prohibit temporarily the establishment of new enterprises that sell tobacco paraphernalia and making findings of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Bierman, Teng, Brown)

File 98-0677, Resolution No. 383-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

In connection with the above item, Supervisors Teng, Brown requested to be added as co-sponsors.

Recommendation of Health, Family and Environment Committee

Adopted

[Construction Contract Expenditure Increase]

Resolution approving expenditure of funds in excess of ten percent (10%) of the original contract amount (\$2,302,364), for San Francisco Water Department Contract WD-2064R. (Public Utilities Commission)

File 98-0691, Resolution No. 418-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Recommendations of Parks and Recreation Committee

Passed on First Reading

[Harding Park Golf Course Fee Reduction]

Ordinance imposing a 25 percent fee reduction for members of Harding Park Men's Club and Harding Park Women's Club at Lincoln Park Golf Course or Sharp Park Golf Course during selected tee times. (Supervisors Newsom, Brown)

File 98-0594, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

Adopted

[Acceptance of Gift of Real Property and Cash]

Resolution accepting gift of real property located at 2340-2366 Leavenworth Street and of funds in the amount of \$100,000 from the estate of Mary Fay Berrigan, placing the property under the jurisdiction of the Recreation and Park Department, dedicating the property as a park to be called Fay Park, and instructing City departments to take any steps necessary to effectuate this resolution. (Supervisors Brown, Bierman, Teng)

File 98-0689, Resolution No. 385-98

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Katz - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Espanola Jackson, support Ohlone Tribe, off site meetings;
Pastor Walker, child care funding, toxic waste, African American population decline, stadium project;
Ms. Lim, Filipino seniors;
Brita Boudan, seniors, affordable housing;
Alma Nimo, senior centrals, affordable housing for veterans;
Betty Samora, housing for elder and war veterans, senior centrals;
Rafael Galan, veterans;
Major Demetrio M. Carino, housing;
Chuck Chew Eng, off site meetings, multi-activity center, children, seniors;
Ina Deary, power plant, community policing, wastewater;
Female speaker, water department, sewer tax, narcotics;
Cati A. Okorie, Bayview Hunters Point community defender program;
Fea Valentino, Asian Pacific Islander;
Mr. Stepto, Bayview Opera House;
Ms. Wong, low income housing;
Ms. Armstrong, low income housing;
Isabel Huie, voter registration, safety, senior centrals;
Amy Loo, muni service;
Susan Liang and Han Shen Liang, safety issues;
Arlene Obella, crime, drug rehabilitation programs;
Caroline Washington, network for elder, economic development, training;
Karen Pierce, crime, lighting, trim trees;
Tyrone Samuel, Double Rock Community Fitness Center funding.

Language interpreters in Cantonese, Mandarin, Spanish, Tagalog and Vietnamese were provided to the public for the entire proceeding through the use of electronic transmitters and receivers.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[State Legislation, AB 2260]

((Resolution supporting AB 2260 which would require the State Department of Health Services, through the childhood lead poisoning prevention program, to establish fifteen pilot projects to perform outreach and treatment for childhood lead poisoning in counties throughout the State identified as having the highest risk of lead poisoning.)) (Supervisors Bierman, Teng, Brown, Katz, Medina, Leno)

Resolution supporting AB 2260 which would require the State Department of Health Services to establish fifteen pilot projects to perform outreach and treatment for childhood lead poisoning in counties throughout the State identified as having the highest risk of lead poisoning and urging AB 2260 be amended so that current levels of funding for State and local case management of lead poisoned children will not be affected.

File 98-0713, Resolution No. 420-98

(May 18, 1998 - Consideration continued to May 26, 1998.)

Supervisor Bierman, seconded by Supervisor Newsom, moved an amendment of the whole entitled, "Resolution supporting AB 2260 which would require the State Department of Health Services to establish fifteen pilot projects to perform outreach and treatment for childhood lead poisoning in counties throughout the State identified as having the highest risk of lead poisoning and urging AB 2260 be amended so that current levels of funding for State and local case management of lead poisoned children will not be affected."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Katz, Yee - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Katz, Yee - 2.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Medina requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Muwekma Ohlone Tribe/Presidio]

((Resolution urging the Presidio Trust and the National Park Service to accommodate the requests of the Muwekma Ohlone Tribe.)) (Supervisors Medina, Brown, Leno, Bierman)

Resolution urging the Presidio Trust and the National Park Service to accept and consider the requests of the Muwekma Ohlone Tribe.

File 98-0824, Resolution No. 433-98

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Supervisor Medina, seconded by Supervisor Teng, moved to amend title, line 4, by replacing "accommodate" with "accept and consider".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Katz, Yee - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Katz, Yee - 2.

In connection with the above item, Supervisors Brown, Leno, Bierman requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Kaufman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Zoo Audit Priority]

Motion requesting that the Zoo management component of the Joint Recreation and Park and Zoo Management audit be conducted at the conclusion of the San Francisco Police Department audit. (Supervisors Ammiano Newsom)

File 98-0832, Motion No.

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

At the request of Supervisor Kaufman, referred to Finance Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Community Parks Task Force]

Resolution commending the Co-Chairs to the Community Parks Task Force for their work in preparing the Parks Plan (Anne Halsted, Isabel Wade, Roberta Achtenberg, Jim Lazarus, Roslyn Payne). (Supervisors

Newsom, Kaufman, Brown, Leno, Medina, Bierman)

File 98-0808, Resolution No. 424-98

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Leno, Medina, Bierman requested to be added as co-sponsors.

[Commend Joel Robinson]

Resolution supporting and congratulating Joel Robinson for the implementation of Phase One in the wholesale restructuring of the Recreation and Park Department. (Supervisors Newsom, Kaufman, Brown, Leno)

File 98-0809, Resolution No. 425-98

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Leno requested to be added as co-sponsors.

[Medical Marijuana Distribution Summit]

Resolution commending State Senator John Vasconcellos and District Attorney Terence Hallinan for sponsoring a "Medical Marijuana Distribution Summit" to be held May 26, 1998 at the State Capitol. (Supervisors Ammiano, Bierman, Leno)

File 98-0810, Resolution No. 426-98

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

[Nuclear Weapons]

Resolution commending President Clinton and President Yeltsin on their efforts to advance treaties intended to prevent proliferation, to ban test explosions and to control, limit and reduce nuclear weapons and urge all presidents, prime ministers, generals, admirals and others to immediately abolish nuclear weapons from the face of the earth. (Supervisors Brown, Medina, Bierman)

File 98-0811, Resolution No.

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Bierman requested to be added as co-sponsors.

[Commend John Burton]

Resolution honoring State Senator John Burton for being named San Francisco State University's 1998 Alumnus of the Year. (Supervisors Katz, Newsom, Kaufman, Bierman, Brown, Leno, Medina)

File 98-0812, Resolution No. 427-98

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Leno, Medina requested to be added as co-sponsors.

[Proclaim Eric Livingston Day]

Resolution recognizing Eric Livingston on the occasion of his 100th Birthday and declaring May 31, 1998 as Eric Livingston Day. (Supervisors Kaufman, Leno, Medina)

File 98-0813, Resolution No. 428-98

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Medina requested to be added as co-sponsors.

[State Legislation, SB 1950]

Resolution supporting Senate Bill 1950, Emergency Housing Assistance Program. (Supervisors Yee, Brown, Leno, Bierman)

File 98-0814, Resolution No. 429-98

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Leno, Bierman requested to be added as co-sponsors.

[Senior Protection Fund]

Resolution urging the Mayor's Office of Housing to create a Senior Protection Fund and urging the Rent Board in conjunction with the Owner Move In Task Force to compile data and report back to the Board of Supervisors within 30 days on suggesting criteria for a Senior Protection Fund for relocation costs for seniors over 60 years old who have lived in their apartment for over 10 years. (Supervisors Teng, Brown, Leno, Bierman)

File 98-0817, Resolution No. 430-98

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Leno, Bierman requested to be added as co-sponsors.

[Community Policing Program]

Resolution urging the Police Department to expand its community policing program within the Police Department. (Supervisors Brown, Leno, Medina)

File 98-0819, Resolution No. 431-98

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisors Leno, Medina requested to be added as co-sponsors.

[School Traffic Safety Measures]

Resolution urging the Department of Parking and Traffic to work with the San Francisco Parent Teacher Association (PTA), safety organizations and other applicable City departments to implement school traffic safety measures. (Supervisors Katz, Bierman, Brown, Leno, Medina)

File 98-0820, Resolution No. 432-98

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Leno, Medina requested to be added as co-sponsors.

[Commend Walt Whitman Community School]

Resolution commending the Walt Whitman Community School for its support of gay, lesbian, bi-sexual and transgender youth. (Supervisors Leno, Medina, Bierman)

File 98-0835, Resolution No. 434-98

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Bierman requested to be added as co-sponsors.

[Suspend 30 Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of

Tuesday, May 26, 1998

Supervisors to consider, without waiting 30 days after its introduction, an ordinance prohibiting City departments from opening bank accounts for City money without written permission of the Treasurer. (Supervisors Kaufman, Leno)

File 98-0833, Motion No. M98-67

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno)

File 98-0834, Motion No. M98-68

(May 18, 1998 - Introduced in Board for consideration on May 26, 1998.)

Adopted.

[Grant, State Funds]

Resolution authorizing the City Librarian to accept and expend funds of \$10,000 from the California State Library Services and Technology Act (LSTA) grant award for non-English language books and materials. (Supervisors Medina, Leno)

File 98-0841, Resolution No. 435-98

(May 20, 1998 - Referred to Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisors Leno requested to be added as co-sponsor.

[Grant, State Funds]

Resolution authorizing the City Librarian to accept and expend funds of \$500.00 for the Gold Rush Reading and Discussion Group, a literary exploration program grant awarded by the California Council for Humanities through the California State Library. (Supervisor Medina, Leno)

File 98-0842, Resolution No. 439-98

(May 20, 1998 - Referred to Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

[Final Map, 301 Bryant Street]

Motion approving final map of 301 Bryant Street, a mixed use condominium project, being a subdivision of Lot 149 in Assessor's Block No. 3774, and adopting findings pursuant to Planning Code Section 101.1. (Supervisor Leno)

File 98-0802, Motion No. M98-66

(May 14, 1998 - Referred to Board for consideration on May 26, 1998.)

Adopted.

In connection with the above item, Supervisor Leno requested to be added as sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 9.

Absent: Supervisors Katz, Yee - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Commend United States Senate]

Resolution commending the United States Senate upon confirmation of Fred Hochberg to the Small Business Administration. Supervisors Leno, Katz, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0854.

[Commendation]

Resolution commending the organizers of the 100 Young Men's Leadership Forum for working to reverse the high school dropout rate of African American males. Supervisors Leno, Brown presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0855.

[Commendation]

Resolution commending the Community Parks Task Force point persons for assuming leadership roles in helping develop the Parks Plan. Supervisors Newsom, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0856.

[State Legislation, AB 2025]

Resolution supporting Assembly Bill 2025, California CARES (Compensation and Retention Encourage Stability) which is comprised of the Child Development CORPS and Resources for Retention Programs. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0857.

[Senior Central Funding]

Resolution urging the Mayor's Office of Community Development to fund additional Senior Centrals, including Bayview Hunters Point, Visitacion Valley and other parts of the City. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0858.

[Asian Pacific Multi-Activities Center]

Resolution supporting the creation of the Asian Pacific Multi-Activities Center which would promote the collaboration between racial and ethnic groups and benefit the Mission District's diverse population as a whole. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0859.

[Medical Marijuana Emergency Distribution Program]

Resolution requesting pertinent City agencies to implement an emergency distribution program of medicinal marijuana to ensure a continuum of access to medicinal marijuana as provided by the passage of Proposition 215. Supervisors Ammiano and Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0860.

Referred to Committee

[Power Plants Financial Partner]

Resolution approving a financial partner, CMS/Wellhead a joint venture, for the potential purchase of the Hunters Point and Potrero Power Plants and the entering into of a Memorandum of Understanding for the financing of the power plants and other related activities. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0861.

Tuesday, May 26, 1998

Referred to Board

[Bank of America/NationsBank Intermerger]

Resolution urging the Federal Reserve Bank to hold public hearings in the San Francisco bay area to consider the impact of the proposed Bank of America/ NationsBank merger and to require Bank of America and NationsBank to include specific community reinvestment commitments to the bay area in their intermerger application. Supervisors Leno, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0862.

[Bail Schedule Increase]

Resolution urging members of the San Francisco Judiciary to increase the rate of bail for narcotic offenses. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0863.

Referred to Committee

[Bike Racks in Parks and Recreation Areas]

Resolution urging the Department of Parking and Traffic's Bicycle program to develop a systematic plan for installing bicycle racks in parks and near large recreation centers; also to explore two or three traffic-calming pilot projects adjacent to parks during 1998-99. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-0864.

Referred to Committee

[Fay Park Implementation Plan]

Resolution urging the Recreation and Park Department to develop an implementation plan for Fay Park. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0865.

Requests for Hearings:

[Transportation for Children and Youth]

Hearing to consider public transportation for children and youth to and from school, City funded programs and after school activities. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0866.

[Hunters Point Shipyard] Hearing to consider development proposals, activity and progress at the Hunters Point Naval Shipyard. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0867.

[Public Parks Private Funding]

Hearing to consider the potential increase in private funding for public parks and the possible impacts of such funding on the future of San Francisco parks. Supervisor Brown presented. Referred to Parks and Recreation Committee.

File 98-0868.

[Own Recognizance Program]

Hearing to consider San Francisco's "Own Recognizance" program. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 98-0869.

[Misdemeanor and Felony Bail Schedule]

Hearing to consider San Francisco's misdemeanor and felony bail schedule. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 98-0870.

[District Councils]

Hearing to consider the feasibility of establishing District Councils comprised of park and recreation groups and advocates. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-0871.

Motions:

Referred to Board

[Suspend Thirty Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, tenant qualification procedures for temporary moratorium on owner/relative move-in evictions of senior, disabled or catastrophically ill tenants. Supervisors Ammiano, Bierman, Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0872.

[Winter Storms Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. Supervisors Kaufman, Ammiano, Katz, Bierman, Medina, Leno, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 1, 1998.

File 98-0873.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0837. [Time for Award of Contracts] Ordinance amending Administrative Code Section 6.1-1 to provide for additional time for the awarding of contracts let by the Public Utilities Commission and the Public Transportation Commission; the provisions of this ordinance shall be effective July 1, 1998. (Public Utilities Commission) Referred to Economic Development, Transportation and Technology Committee.

File 98-0838. [MOU, Local 856] Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Teamsters Local 856 and the City and County of San Francisco to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 98-0839. [MOU, Local 350] Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Teamsters Local 350 and the City and County of San Francisco to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 98-0846. [Employee Health Coverage] Ordinance amending Administrative Code Section 16.157, approving Health Service System plans and rates of contribution as adopted by the Health Service Board. (Effective July 1, 1998 through June 30, 1999). (Department of Human Resources/Health Service System) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0836. [Adult Day Health Care] Resolution authorizing approval of revisions to the San Francisco Adult Day Health Care County Plan. (See Files 262-81 and 97-88-75) (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0844. [Statute of Limitations] Resolution waiving the statute of limitations with respect to payment of certain warrant of the City and County of San Francisco, in the amount of \$69,780.05, a legal obligation of the City and County of San Francisco. (Payee: Emanuel George/Eliza George). (Controller) Referred to Rules Committee.

File 98-0845. [Hetch Hetchy Special Discharge Agreement] Resolution approving Special Discharge Agreement between the City and County of San Francisco and the Modesto Irrigation District on file with the Clerk of the Board of Supervisors in File No. 98-0845; and approving indemnifying and holding harmless District against claims arising from the City's willful misconduct or negligence. (Public Utilities Commission) Referred to Economic Development, Transportation and Technology Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yee, that the Clerk of the Board transmit letter to the Director, Human Rights Commission concerning the Human Rights Commission April 1995 report, which contained seven findings and eleven recommendations, on racially and ethnically motivated violence at the Housing Authority developments. The Supervisor would like to know what steps the Human Rights Commission has taken to see whether or not these recommendations were ever implemented and what role the Human Rights Commission has in monitoring instances of racially and ethnically motivated violence at the Housing Authority developments.

By Supervisor Yee, that the Clerk of the Board transmit letter to Executive Director, San Francisco Housing Authority requesting written response on the implementation status of the Vietnamese American Coalition for Civil Rights recommendations approved by the Board of Supervisors in December 1997 and status report on the Housing Authority's response to the Department of Housing and Urban Development's report entitled, The San Francisco Housing Authority Recovery Effort and Transition Recommendations.

By Supervisor Bierman, that City Attorney advise whether a taxi commission created by a charter amendment could change the rules that were established by Proposition K for issuing taxi medallions.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Sanford J. Leland (Supervisor Kaufman)
Harold C. Brown (By the entire Board)
Robert K. Murphy (Supervisor Katz)

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 7:59 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 20, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, June 1, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 1, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Amiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Noted absent at first roll call:

Supervisor Katz - 1.

Quorum present.

Supervisor Katz was noted present at 2:08 p.m.

SPECIAL ORDER 2:00 P.M.

Budget Presented

[Budget, 1998-1999]

Presentation by the Mayor on the 1998-1999 Budget. (Mayor Willie L. Brown, Jr.)

Mayor Willie L. Brown, Jr. appeared and spoke briefly on the proposed 1998-1999 Budget indicating that it contains no layoffs, no new taxes, no program cancellations. The \$100 million surplus from the current year will be placed on reserve or invested in facility improvements, upgrades for antiquated computer systems and replacement of the aging equipment used to maintain parks and to pave streets.

The Mayor submitted the following five items to the Board:

Referred to Committee

[Annual Budget, 1998-1999]

Hearing to consider Annual Budget for the City and County of San Francisco for fiscal year 1998-1999. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0849

[Annual Appropriation Ordinance, 1998-1999]

Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1999; companion measure to Files 98-0849 and 98-0851. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0850.

[Annual Salary Ordinance, 1998-1999]

Annual Salary Ordinance enumerating positions in the Annual Budget and Annual Appropriation Ordinance for the fiscal year ending June 30, 1999, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor; companion measure to Files 98-0849 and 98-0850. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0851.

[Interim Annual Appropriation Ordinance, 1998-1999]

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated

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expenditures for the City and County of San Francisco for fiscal year ending June 30, 1999; companion measure to File 98-0853. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0852.

[Interim Annual Salary Ordinance, 1998-1999]

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1999, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor; companion measure to File 98-0852. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0853.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Appropriation, Department of Transportation - MUNI]

Ordinance appropriating \$34,862, Department of Transportation, Municipal Railway, of General Reserve Fund for salaries and fringe benefits and the creation of eight positions to extend the hours of operations of the Telephone Information Center and the Passenger Service Units for fiscal year 1997-98; companion measure to File 98-0739. (Controller)

File 98-0733, Ordinance No. 194-98

Finally passed.

[Salary Ordinance Amendment, Department of Transportation - MUNI]

Ordinance amending Ordinance No. 307-97 (Annual Salary Ordinance, 1997-98), Department of Transportation - Municipal Railway, reflecting the creation of eight positions, (8 Class 9122 Transit Information Clerks); companion measure to File 98-0733. (Department of Human Resources)

File 98-0739, Ordinance No. 196-98

Finally passed.

[Membership List, Retirement System]

Ordinance amending Administrative Code, to add certain organizations to the membership list of the Employees Retirement System. (Supervisor Yaki)

File 98-0422, Ordinance No. 189-98

(Amends Section 16.6-29.)

Finally passed.

Adopted

[Declaration of Emergency, Port]

Resolution approving a declaration of emergency for construction work to repair a collapsed pier at Piers 24 and 24 1/2, Port of San Francisco - \$248,386. (Port Commission)

File 98-0796, Resolution No. 450-98

Adopted.

Recommendations of Economic Development, Transportation and Technology Committee

Finally Passed

[Taxicab Fare Rate Increase]

Ordinance amending Police Code to increase the rates of fare for taxicabs and to modify the procedure for setting rates of fare; and establishing an effective date. (Supervisor Newsom)

File 98-0334, Ordinance No. 188-98

(Amends Sections 1135 and 1137.)

Finally passed.

[Taximeter Reinspection Waiver]

Ordinance amending Administrative Code, to waive the fee charged for any retesting, reinspection or recertification of taximeters occasioned by a taxicab rate change adopted by the Board of Supervisors during 1998, subject to conditions. (Supervisor Newsom)

File 98-0517, Ordinance No. 192-98

(Adds Section 1.15.2.)

Finally passed.

[MBE/WBE/LBE Utilization Ordinance III]

Ordinance amending Administrative Code, to set forth findings supporting a two-month extension of the MBE/WBE/LBE Ordinance - III and providing for the two-month extension. (Supervisors Brown, Bierman, Teng)

File 98-0701, Ordinance No. 186-98

(Adds Section 12D.2-5;

Amends Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12D.15(G).)

Finally passed.

Recommendation of Parks and Recreation Committee

Finally Passed

[Harding Park Golf Course Fee Reduction]

Ordinance imposing a 25 percent fee reduction for members of Harding Park Men's Club and Harding Park Women's Club at Lincoln Park Golf Course or Sharp Park Golf Course during selected tee times. (Supervisors Newsom, Brown)

File 98-0594, Ordinance No. 193-98

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[Agreement, Sheriff - Mr. Ben Dorcy]

Resolution authorizing the Sheriff's Department to enter into agreement with Mr. Ben Dorcy for mandatory certified CPR and First Aid Training, which agreement provides for mutual indemnification from claims or other damages which arise as a result of performance under said agreement. (Sheriff)

File 98-0746, Resolution No. 445-98

Adopted.

[Agreement, Sheriff - Dr. George Bach-Y-Rita]

Resolution authorizing the Sheriff's Department to enter into a professional services agreement with George Bach-Y-Rita, M.D., which provides for indemnification of Dr. Bach-Y-Rita from compensatory damages for negligent formation of his professional opinion as to psychological suitability of applicants for employment as Deputy Sheriffs in San Francisco County. (Sheriff)

File 98-0747, Resolution No. 446-98

Adopted.

Recommendations of Rules Committee

Passed on First Reading

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[CCSF v. Bank of America NT & SA]
Ordinance authorizing settlement of litigation of City and County, entitled "City and County of San Francisco v. Bank of America NT & SA" for \$38,000. (City Attorney)

File 98-0728, Ordinance No.

(Superior Court No. 988-950.)

Passed on first reading.

[Cazahous v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Cazahous v. City and County, et al., by payment of \$30,000. (City Attorney)

File 98-0740, Ordinance No.

(Superior Court No. 985-824.)

Passed on first reading.

[Zoya Dayter, et al. v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Zoya Dayter against the City and County by payment of \$42,500. (City Attorney)

File 98-0801, Ordinance No.

(Superior Court No. 983-167.)

Passed on first reading.

Adopted

[Appointments]

Resolution appointing members to the Animal Control and Welfare Commission, terms expired, for new two year terms ending April 30, 2000. (Rules Committee)

File 98-0586, Resolution No. 440-98

(Sheila Martin, succeeding herself, Seat No. 20707, must be licensed veterinarian;
June Wilson, succeeding herself, Seat No. 20702, must be public at large;
Catherine Tchen-Kenna, Seat No. 20701, must be public at large.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Appropriation, DTIS/Administration Services]

Ordinance appropriating \$1,000,000, Department of Telecommunication and Information Services and the Administrative Services Department, from the General Fund Reserve-Network to finance the initial implementation of the Fiber Optic Network and the development of an Internet Processing Plan for fiscal year 1997-98; placing \$1,000,000 on reserve. (Controller)

File 98-0734, Ordinance No. 195-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Newsracks]

Ordinance amending Public Works Code, regulating the placement and maintenance of newsracks on public streets, sidewalks and rights-of-way to prohibit free-standing newsracks in specified areas of the City, authorizing the creation of fixed-pedestal zones in specified areas of the City and authorizing the Director of Public Works to select and enter into agreements with vendors to provide and maintain fixed-pedestal newsracks. (Supervisors Kaufman, Teng)

File 98-0515, Ordinance No. 190-98

(Adds Section 184.12.)

Finally passed by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee - 8.

Noes: Supervisors Ammiano, Bierman, Medina - 3.

[Newsrack Appeal]

Ordinance amending Municipal Code Part III, to provide for appeals to the Board of Appeals from decisions of the Director of Public Works concerning permits for fixed pedestal newsracks; companion measure to File 98-0515. (Supervisors Kaufman, Teng)

File 98-0516, Ordinance No. 191-98

(Amends Section 8.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Littering and Dumping Fines-Increase]

Ordinance amending Police Code, Health Code, and Public Works Code, to increase fines for violations of provisions relating to littering, dumping and environmental control. (Supervisor Brown)

File 121-97-11, Ordinance No.

(Amends Police Code Section 37; Health Code Sections 95.5, 283.1, 287; and Public Works Code Sections 170 and 173 thereof.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Non-Profit Organizations]

Resolution requesting the City's agencies and departments to provide information to the Board of Supervisors relating to contract monitoring procedures and provisions in contracts with non-profit organizations in order to determine whether and how such procedures and provisions should be standardized; companion measure to File 98-0666. (Supervisor Ammiano)

File 98-0665, Resolution No. 442-98

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair to allow the President to speak to the issue.

Motion to Continue Refused Adoption

Supervisor Teng, seconded by Supervisor Brown, moved to continue the item one week to allow the Board to sit as a Committee of the Whole to accept additional testimony.

Motion to continue failed by the following vote:

Ayes: Supervisors Brown, Katz, Medina, Teng, Yaki - 5.

Noes: Supervisors Ammiano, Bierman, Kaufman, Leno, Newsom,
Yee - 6.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Medina - 1.

The President resumed the Chair.

Passed on First Reading

[Non-Profit Organizations, Public Access]

Ordinance amending Administrative Code, to create requirements in contracts between the City and certain non-profit organizations that ensure public access to records and meetings of the Board of Directors of the non-profit organization, and by adding subsection 67.30(D) to specify the powers possessed by the Sunshine Ordinance Task Force; companion measure to File 98-0665. (Supervisor Ammiano)

File 98-0666, Ordinance No.

(Adds Sections 12L.1 through 12L.10;
Adds Subsection 67.30(D).)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee - 10.

Noes: Supervisor Medina - 1.

[Bank Accounts]

Ordinance amending Administrative Code, to prohibit City Departments from opening bank accounts for City money without written permission of the Treasurer. (Supervisors Kaufman, Teng)

File 98-0732, Ordinance No.

(Amends Section 10.81-1.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Passed for First Reading as Amended

[PUC Short-Term Indebtedness]

Ordinance amending Administrative Code, to provide a procedure for the issuance by the Public Utilities Commission of commercial paper and other short-term indebtedness in anticipation of the issuance of revenue bonds. (Public Utilities Commission)

File 98-0738, Ordinance No.

(Adds Chapter 84, Sections 84.1 thru 84.6.)

Supervisor Teng, seconded by Supervisor Medina, moved an amendment of the whole, bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 10.

Noes: Supervisor Yee - 1.

Passed on first reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 10.

Noes: Supervisor Yee - 1.

Adopted

[Waive Fees, Summer of Love Celebration]

Resolution waiving administrative fees of \$6,666 associated with the Thirtieth Anniversary of the Summer of Love celebration; The Summer of Love still being obligated to pay \$29,497 for City cost reimbursement. (Supervisor Ammiano)

File 98-0031, Resolution No. 437-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Uniforms Made in San Francisco]

Resolution urging City Departments to work with the City's Purchaser to have local manufacturing companies be seriously considered in the awarding and renewal of contracts for production of uniforms. (Supervisors Teng, Kaufman)

File 98-0386, Resolution No. 438-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Lease of Property, 25 Van Ness Avenue]

Resolution authorizing the renewal of an existing lease of real property at 25 Van Ness Avenue with the New Conservatory Theatre Center; retroactive to May 15, 1998. (Real Estate Department)

File 98-0582, Resolution No. 439-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Quitclaim Deed]

Resolution authorizing and directing execution of quitclaim deed from the City and County to the San Francisco Unified School District, a political subdivision of the State of California, for Assessor's Block 6221, Lot 2 (500 Raymond Avenue), and adopting findings pursuant to Planning Code Section 101.1. (Real Estate Department)

File 98-0685, Resolution No. 443-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Agreement, Sheriff - Interactive Systems]

Resolution authorizing the Sheriff's Department to enter into an agreement with Interactive Systems, LLC for VINE, an automated victim notification service, which agreement provides for mutual indemnification from claims or other damages which arises as a result of performance under said agreement. (Supervisors Kaufman, Teng, Newsom)

File 98-0748, Resolution No. 447-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Housing and Neighborhood Services Committee

Adopted

[State Grant - Project Read]

Resolution retroactively authorizing the City Librarian to accept and expend funds of \$61,417 for

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Literacy Coordination and Outreach that include indirect costs of five percent from the California State Library. (Supervisor Teng)

File 98-0688, Resolution No. 444-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Liquor Licenses Transfer, 2136 Palou Avenue]

Resolution determining that the transfer of five alcoholic beverage control licenses, Type 9, beer and wine importer; Type 12, distilled spirits importer; Type 17, beer and wine wholesaler; Type 18, distilled spirits wholesaler; Type 20, off-sale beer and wine from 645 Mariposa Street to 2136 Palou Avenue to Jack P. Chambers for "Chambers and Chambers Wine Merchants", will serve the convenience of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0587, Resolution No. 441-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Liquor License Modification, 4099 Judah Street]

Resolution denying the request of removing or modifying the conditions imposed on the Conditional Alcoholic Beverage License for Mohamed Kraye, dba Western Sunset Market, located at 4099 Judah Street, in accordance with Section 23803 of the Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0751, Resolution No. 448-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Liquor License Modification, 1230 Polk Street]

Resolution denying the request of removing or modifying the conditions imposed on the Conditional Alcoholic Beverage License for Frederick L. Charron, Jr., and Wayne R. Newman dba QUETZAL located at 1230 Polk Street, in accordance with Section 23803 of the Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0752, Resolution No. 449-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendations of Rules Committee

Passed on First Reading

[Conflict of Interest Code, Redevelopment Agency]

Ordinance amending Administrative Code, to incorporate changes in the designated positions and disclosure categories for the Redevelopment Agency's Conflict of Interest Code and to add a definition of consultant. (City Attorney)

File 98-0735, Ordinance No.

(Amends Section 58.350.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Conflict of Interest Code, Department of Public Health]

Ordinance amending Administrative Code, to delete a designated position (Institutional Police Officer), in the Public Health Department's Conflict of Interest Code. (City Attorney)

File 98-0736, Ordinance No.

(Amends Section 58.310.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to decision of Planning Commission by its Motion No. 14608, dated April 2, 1998, disapproving Conditional Use Application No. 97.887C, for conditional use authorization under Planning Code Section 209.1 to legalize a fifth dwelling unit in an existing three-story, four-family dwelling in an RH-3 (Residential, House, Three-Family) District and 40-X Height and Bulk District on property located at 117 Bartlett Street, east side between 22nd and 23rd Streets; Lot 45, in Assessor's Block 3636.

File 98-0693

(Categorically exempt from the environmental review process pursuant to Title 14 of the California Administrative Code.)

(Appeal filed May 1, 1998.)

(Pursuant to Government Code Section 65009, the following notice is hereby given: If you challenge the above matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.)

The following persons were sworn in and granted privilege of the floor:

Appellant: John Vassey; Nick Woolson in support of appeal

Respondent: Gerald Green representing Planning Commission;

The President then declared the hearing closed.

Tabled

(Only one of the following two motions should be adopted.)

[Zoning Appeal, 117 Bartlett Street]

Motion approving decision of Planning Commission by its Motion No. 14608, disapproving Conditional Use Application No. 97.887C, on property located at 117 Bartlett Street, east side between 22nd and 23rd Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 98-0694, Motion No.

Supervisor Yaki, seconded by Supervisor Katz, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Zoning Appeal, 117 Bartlett Street]

Motion disapproving decision of Planning Commission by its Motion No. 14608, disapproving Conditional Use Application No. 97.887C, on property located at 117 Bartlett Street, east side between 22nd and 23rd Streets, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

File 98-0695, Motion No. M98-69

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 97.887C, on property located at 117 Bartlett Street, east side between 22nd and 23rd Streets, for action by the Board at its next meeting. (Clerk of the Board)

File 98-0696, Motion No. M98-70

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, assistance for disabled victim of explosion and support of funding for disability study;

Man, police abuse;

Tortuga Bi Liberty, support of Prop 215;

Michael Belafonte, medicinal marijuana crisis;

Gilbert Criswell, urging people to vote;

Louie Vidal, creation of a taxi commission;

Susan Kim, Director of Youth Commission, year-end report of commission activities;

Meredith Osborn, Youth Commission Chairperson, reporting on past activities and future goals;

John Jenkel, Carriage Charter and Port Commission Resolution 94-20;

Jesus Gumban, civil service complaint;

Pebbles Trippit, supporting medicinal marijuana.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Medina requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Bail Schedule Increase]

Resolution urging members of the San Francisco Judiciary to review ((increase)) the rate of bail for narcotic offenses. (Supervisors Medina, Leno)

File 98-0863, Resolution No.

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Supervisor Medina, seconded by Supervisor Teng, moved to amend title and line 13 to replace "increase" with "review".

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yee requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Suspend Thirty Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, tenant qualification procedures for temporary moratorium on owner/relative move-in evictions of senior, disabled or catastrophically ill tenants. (Supervisors Ammiano, Bierman, Yaki, Leno, Medina)

File 98-0872, Motion No. M98-71

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Supervisors Kaufman, Newsom, Yee Excused from Voting

Supervisors Kaufman, Newsom, and Yee requested to be excused from voting because of possible conflict of interest.

Supervisor Ammiano, seconded by Supervisor Yaki, moved to excuse Supervisors Kaufman, Newsom and Yee from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Teng assumed the Chair.

The roll was then called on the pending motion and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Excused: Supervisors Kaufman, Newsom, Yee - 3.

In connection with the above item, Supervisors Leno, Medina requested to be added as co-sponsors.

The President resumed the Chair.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend United States Senate]

Resolution commending the United States Senate upon confirmation of Fred Hochberg to the Small Business Administration. (Supervisors Leno, Katz, Ammiano, Bierman, Brown, Newsom, Medina)

File 98-0854, Resolution No. 451-98

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Newsom, Medina requested to be added as co-sponsors.

[Commendation]

Resolution commending the organizers of the 100 Young Men's Leadership Forum for working to reverse the high school dropout rate of African American males. (Supervisors Leno, Brown, Bierman, Katz, Newsom, Medina)

File 98-0855, Resolution No. 452-98

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Adopted.

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In connection with the above item, Supervisors Bierman, Katz, Newsom, Medina requested to be added as co-sponsors.

[Commendation]

Resolution commending the Community Parks Task Force point persons for assuming leadership roles in helping develop the Parks Plan. (Supervisors Newsom, Kaufman, Bierman, Brown, Katz, Leno, Medina)

File 98-0856, Resolution No. 453-98

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz, Leno, Medina requested to be added as co-sponsors.

[State Legislation, AB 2025]

Resolution supporting Assembly Bill 2025, California CARES (Compensation and Retention Encourage Stability) which is comprised of the Child Development CORPS and Resources for Retention Programs. (Supervisors Yee, Bierman, Brown, Leno, Medina)

File 98-0857, Resolution No. 459-98

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Leno, Medina requested to be added as co-sponsors.

[Senior Central Funding]

Resolution urging the Mayor's Office of Community Development to fund additional Senior Centrals, including Bayview Hunters Point, Visitation Valley and other parts of the City. (Supervisors Teng, Bierman, Brown, Katz, Leno, Medina)

File 98-0858, Resolution No. 460-98

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz, Leno, Medina requested to be added as co-sponsors.

[Asian Pacific Multi-Activities Center]

Resolution supporting the creation of the Asian Pacific Multi-Activities Center which would promote the collaboration between racial and ethnic groups and benefit the Mission District's diverse population as a whole. (Supervisors Teng, Bierman, Brown, Katz, Leno, Newsom, Medina)

File 98-0859, Resolution No. 454-98

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz, Leno, Newsom, Medina requested to be added as co-sponsors.

[Medical Marijuana Emergency Distribution Program]

Resolution requesting pertinent City agencies to implement an emergency distribution program of medicinal marijuana to ensure a continuum of access to medicinal marijuana as provided by the passage of Proposition 215. (Supervisors Ammiano, Bierman, Katz, Leno, Newsom, Medina)

File 98-0860, Resolution No. 455-98

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Newsom, Medina requested to be added as co-sponsors.

[Bank of America/NationsBank Intermerger]

Resolution urging the Federal Reserve Bank to hold public hearings in the San Francisco bay area to consider the impact of the proposed Bank of America/NationsBank merger and to require Bank of America and NationsBank to include specific community reinvestment commitments to the bay area in their intermerger application. (Supervisors Leno, Bierman, Brown, Katz, Medina)

File 98-0862, Resolution No. 456-98

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Medina requested to be added as co-sponsors.

[Fay Park Implementation Plan]

Resolution urging the Recreation and Park Department to develop an implementation plan for Fay Park. (Supervisors Newsom, Bierman, Brown, Katz, Leno, Medina)

File 98-0865, Resolution No. 458-98

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Katz, Leno, Medina requested to be added as co-sponsors.

[Winter Storms Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. (Supervisors Kaufman, Ammiano, Katz, Bierman, Medina, Leno, Newsom)

File 98-0873, Motion No. M98-72

(May 26, 1998 - Introduced in Board for introduction on June 1, 1998.)

Adopted.

[Final Map, 1916-1926 Mason Street]

Motion approving final map of 1916-1926 Mason Street, a Live/Work Condominium Project, being a subdivision of Lot 15 in Assessor's Block No. 90, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0874, Motion No. M98-73

(May 26, 1998 - Referred to Board for consideration on June 1, 1998.)

Adopted.

[Final Map, 1121 Tennessee Street]

Motion approving final map of 1121 Tennessee Street, a Residential Condominium Project, being a subdivision of Lot 43 in Assessor's Block No. 4172, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0875, Motion No. M98-74

(May 26, 1998 - Referred to Board for consideration on June 1, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

[MOU, Municipal Attorneys Association (MAA)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Municipal Attorneys Association and the City and County of San Francisco to be effective July 1, 1998 through June 30, 2001. Mayor Willie L. Brown, Jr. presented. Referred to Finance Committee.

File 98-0886.

[MOU, Local 200 (S.E.A.M.)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Transport Workers Union, Local 200 (S.E.A.M.) and the City and County of San Francisco to be effective for the period July 1, 1998 through June 30, 2001. Supervisor Teng presented. Referred to Finance Committee.

File 98-0892.

[MOU, Local 250-A (7410 Automotive Service Worker)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County of San Francisco to be effective July 1, 1998 through June 30, 2001. Supervisor Teng presented. Referred to Finance Committee.

File 98-0893.

[MOU, Local 250-A (Multi-Unit)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Transport Workers Union, Local 250-A (Multi-Unit) and the City and County of San Francisco to be effective for the period July 1, 1998 through June 30, 2001. Supervisor Teng presented. Referred to Finance Committee.

File 98-0894.

[Sunshine Ordinance]

Ordinance amending Administrative Code Section 67.24 to continue the exemption from public disclosure for rates of payment for managed health care contracts. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 98-0895.

[Zoning Map Change]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of property located at 3100 Webster Street, Lot 12, Assessor's Block 508 from a RH-2 Two-Family Residential District to a NC-3 Moderate-Scale Neighborhood Commercial District and adopting findings pursuant to Planning Code Section 101.1. Supervisor Katz presented. Referred to Housing and Neighborhood Services Committee.

File 98-0896.

[Annual Report on Park Expenditures]

Ordinance amending Administrative Code by adding Section 3.51 requiring the Recreation and Park Department to prepare an annual report describing the proposed expenditure at each city park and each city recreation center during the next fiscal year. Supervisor Newsom presented. Referred to the Parks and Recreation Committee.

File 98-0897.

[Periodic Assessment-Parks and Recreation Programs] Ordinance amending the Park Code by adding Section 3.18 requiring the Recreation and Park Department to conduct a survey every five years of the public's satisfaction with the current condition of city parks and recreation facilities, the public's satisfaction with the department's current programs and the public's perception of the need for changes to existing parks, facilities and programs, and requiring the department to report to the Board of Supervisors on the results of the survey. Supervisor Newsom presented. Referred to Economic Development, Transportation, and Technology Committee.

File 98-0898.

[Tobacco Advertising on Taxicabs]

Ordinance amending the Police Code by adding Section 1147.7, prohibiting advertising of tobacco products on taxicabs. Supervisor Newsom presented. Referred to Economic Development, Transportation, and Technology Committee.

File 98-0909.

Referred to Board

[Creation of Health Model for Proposition 215]

Resolution requesting a Joint Task Force of the District Attorney and the City Attorney to create legislation establishing a San Francisco health model for the implementation of Proposition 215. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 8, 1998.

File 98-0899.

Referred to Committee

[Annual Audit]

Resolution ordering an annual audit of the Controller's books. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-0900.

[Annual Audit]

Resolution approving the selection of an independent auditor for the Public Transportation Commission and the Public Utilities Commission and authorizing a three year contract with a consortium of accounting firms. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-0901.

Referred to Board

[Provision of Medical Marijuana]

Resolution urging the City Attorney and District Attorney to draft legislation allowing the City to legally provide medicinal marijuana for compassionate use purposes. Supervisors Leno, Ammiano, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar June 8, 1998.

File 98-0902.

[Domestic Partners-Absentee Voting]

Resolution requesting the California Legislature to amend the Elections Code to allow domestic partners to accept delivery of and return absentee ballots for absent voters. Supervisors Leno, Katz, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 8, 1998.

File 98-0903.

[Assembly Bill 2463-Support]

Resolution urging the California State Legislature and Governor Pete Wilson to approve Assembly Bill 2463. Supervisors Leno, Brown, Bierman, Katz, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 8, 1998.

File 98-0904.

[HIV + Organ Transplants]

Resolution urging the California Director of Health Services to support organ transplants for HIV + patients. Supervisors Leno, Ammiano, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar June 8, 1998.

File 98-0905.

[State Grant]

Resolution authorizing the Public Library, through the Peninsula Library System, to accept and expend \$45,000 awarded by the California State Library, as part of the California Library Services and

Monday, June 1, 1998

Technology Act, Database Linked Systems Program, to purchase Z39.50 client software to improve library patrons' access to regional online library catalogs. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar June 8, 1998.

File 98-0906.

[Commend Angelo Quaranta and Bob McCarthy]

Resolution commending Angelo Quaranta and Bob McCarthy for their hard work and dedication to the electoral process in San Francisco. Supervisor Medina presented. Referred to Board for Adoption Without Committee Reference Calendar June 8, 1998.

File 98-0908.

Referred to Committee

[Placement of Welfare Recipients]

Resolution urging the Department of Human Services to identify federal agencies with the authority to hire temporary workers from the welfare to work rosters to provide on-the-job training and to act as a job placement provider for workers eligible to work within those agencies. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0910.

Referred to Board

[Fireworks]

Resolution urging the Police Department and the Fire Department to implement community outreach and education programs regarding the dangers and penalties associated with the possession, sale, and use of fireworks and urging the District Attorney to vigorously prosecute all violations for fireworks possession, sale, and use. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 8, 1998.

File 98-0911.

[Commending Marilyn Borovoy]

Resolution commending the outstanding accomplishments of Marilyn Borovoy. Supervisors Yaki, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar June 8, 1998.

File 98-0912.

[Commending President Clinton]

Resolution commending President Clinton for amending Executive Order 11478 to prohibit discrimination based on sexual orientation in the federal civilian workforce and encouraging Congress to pass the Employment Non-Discrimination Act. Supervisors Yee, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar June 8, 1998.

File 98-0913.

Requests for Hearings:

[Mayor's Blue Ribbon Report]

Hearing to consider the Mayor's Blue Ribbon Report on Achieving Universal Health Care in San Francisco. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 98-0914.

[Management Letters for 1996-97]

Hearing to consider, in accordance with Charter Section 9.117, the management letters issued by the City's independent auditors for the fiscal year ending June 30, 1997. Supervisor Kaufman presented. Referred to Audit Committee.

File 98-0915.

[Golden Gate Park Conservatory of Flowers]

Hearing to consider issues connected with the Golden Gate Park Conservatory of Flowers such as the educational mission for the planned Education Center, a business plan, a collections plan and a plan for the best funding options. Supervisor Newsom presented. Referred to Parks and Recreation Commission.

File 98-0916.

[Disabled Veterans]

Hearing to consider the possibility of allowing disabled veterans and their families free admission to publicly supported points of interest in the City and County of San Francisco such as, but not limited to, museums and parks. Supervisor Yee presented. Referred to Parks and Recreation Committee.

File 98-0917.

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar June 8, 1998.

File 98-0918.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0876. [Patrick Wong, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Patrick Wong against the City and County of San Francisco by payment of \$45,000. (Superior Court No. 975-085). (City Attorney) Referred to Rules Committee.

File 98-0877. [Hosea Larue Shaw, Jr. et al., v. CCSF, et al.] Ordinance authorizing settlement of litigation of Hosea Larue Shaw, Jr., et. al. against the City and County of San Francisco by payment of \$50,000. (Superior Court No. 986-117). (City Attorney) Referred to Rules Committee.

File 98-0878. [CCSF, v. Assessment Appeals Bd./Federal Reserve] Ordinance authorizing settlement of litigation of the City and County of San Francisco's lawsuit against the San Francisco Assessment Appeals Board Number 1 (the nominal defendant) and the Federal Reserve Bank (the real party in interest), and applications for reduced property tax assessments pending before the San Francisco Assessment Appeals Board by refunding \$583,924 plus interest on any delay in payment beyond August 15, 1998. Referred to Rules Committee with request it be considered at the June 9, 1998 meeting.

File 98-0880. [Water Rates] Ordinance approving revised schedule of rates to be charged by the San Francisco Public Utilities Commission for water service to its suburban resale customers. (Public Utilities Commission) Referred to Finance Committee with direction to report back to Board June 22, 1998.

File 98-0881. [Sewer Service Charges, 1998-1999] Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1998-1999 pursuant to Public Works Code Articles 4.1 and 4.2. (Public Utilities Commission) Scheduled for public hearing before Board on June 22, 1998 at 3:00 p.m.

Resolutions Referred to Committee

File 98-0848. [Prop J Contract, Parking Management Services] Resolution approving the Controller's certification that parking management services for San Francisco International Airport can practically be performed by private contractor at lower cost for the year commencing July 1, 1998 than if work were performed by City employees at budgeted levels. (Airport Commission) Referred to Finance Committee.

File 98-0879. [Grant - State] Resolution authorizing the Department of Public Health, Division of Public Health, Community Health and Safety, to apply for a grant in the amount of \$20,500 from the California Integrated Waste Management Board for an Enforcement Assistance Grant and that the San Francisco Director of Health is authorized to execute all necessary applications, contracts, agreements and amendments relating to this application; waiving indirect costs. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-0882. [Official Newspaper for FY 1998-99] Resolution designating the San Francisco Independent to be official newspaper for specified categories of official advertising, commencing July 1, 1998. (Purchasing Department) Referred to Finance Committee.

File 98-0883. [Official Newspaper, FY 1998-99] Resolution designating an organization to be official newspaper of the City and County of San Francisco for specified categories of advertising, commencing July 1, 1998. (Purchasing Department) Referred to Finance Committee.

File 98-0884. [Federal Funding - Supportive Housing Program] Resolution authorizing the Department of

Monday, June 1, 1998

Human Services to retroactively, apply for, accept and expend Stewart B. McKinney supportive housing grants in a total amount not to exceed \$11,602,133 over a three year period from the U.S. Department of Housing and Urban Development. (Department of Human Services) Referred to Housing and Neighborhood Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yee, that the City Attorney develop legislation which creates a mechanism to allow the revenue the City and County receives when doing business with locally owned businesses, including but not limited to gross receipt tax revenue and sales tax revenue, to be factored into the procurement, purchasing, and contracting decisions.

By Supervisor Ammiano, that the City Attorney draft language creating a protocol to consider taxes paid by automotive dealerships in San Francisco as part of the bid proposal when reviewing bids for City contracts/purchases for City vehicles.

By Supervisor Newsom, that the City Attorney draft language to amend the Sunshine Ordinance to create a position for a seat on the task force to be represented by the non-profit Community.

ADJOURNMENT

There being no further business, the Board at the hour of 5:02 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 10, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, June 8, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 93

Number 23

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 8, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 9.

Noted absent at first roll call:

Supervisors Bierman, Katz - 2.

Quorum present.

Supervisor Bierman excused. (See infra.)

Supervisor Katz was noted present at 2:11 p.m.

Supervisor Bierman Excused

The Clerk stated Supervisor Bierman requested to be excused from attending today's meeting.

Supervisor Medina, seconded by Supervisor Teng, moved to excuse Supervisor Bierman from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Medina, seconded by Supervisor Teng, moved that the Journal of Proceedings for Monday, April 20, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Littering and Dumping Fines-Increase]

Ordinance amending Police Code, Health Code, and Public Works Code, to increase fines for violations of provisions relating to littering, dumping and environmental control. (Supervisor Brown)

File 121-97-11, Ordinance No. 197-98

(Amends Police Code Section 37; Health Code Sections 95.5, 283.1, 287; and Public Works Code Sections 170 and 173 thereof.)

Finally passed.

[Bank Accounts]

Ordinance amending Administrative Code, to prohibit City departments from opening bank accounts for City money without written permission of the Treasurer. (Supervisors Kaufman, Teng)

File 98-0732, Ordinance No. 200-98

(Amends Section 10.81-1.)

Finally passed.

Recommendations of Rules Committee

Finally Passed

[CCSF v. Bank of America NT & SA]

Ordinance authorizing settlement of litigation of City and County, entitled "City and County of San Francisco v. Bank of America NT & SA", for \$38,000. (City Attorney)

File 98-0728, Ordinance No. 199-98

(Superior Court No. 988-950.)

Finally passed.

[Conflict of Interest Code, Redevelopment Agency]

Ordinance amending Administrative Code, to incorporate changes in the designated positions and disclosure categories for the Redevelopment Agency's Conflict of Interest Code and to add a definition of consultant. (City Attorney)

File 98-0735, Ordinance No. 201-98

(Amends Section 58.350.)

Finally passed.

[Conflict of Interest Code, Department of Public Health]

Ordinance amending Administrative Code, to delete a designated position (Institutional Police Officer), in the Public Health Department's Conflict of Interest Code. (City Attorney)

File 98-0736, Ordinance No. 202-98

(Amends Section 58.310.)

Finally passed.

[Cazahous v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Cazahous v. City and County, et al., by payment of \$30,000. (City Attorney)

File 98-0740, Ordinance No. 204-98

(Superior Court No. 985-824.)

Finally passed.

[Zoya Dayter, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Zoya Dayter against the City and County by payment of \$42,500. (City Attorney)

File 98-0801, Ordinance No. 205-98

(Superior Court No. 983-167.)

Finally passed.

Recommendations of Economic Development, Transportation
and Technology Committee

Adopted

[Grant, State Funds]

Resolution authorizing the Executive Director, Port of San Francisco, to accept and expend \$500,000 in State funds from the State Coastal Conservancy for the Pier 98 wetlands and public access enhancement and forgoing reimbursement of indirect costs; and authorizing the Port to hold the State of California harmless as required in the grant agreement. (Supervisors Katz, Bierman)

File 98-0822, Resolution No. 464-98

Adopted.

[Grant, State Funds]

Resolution authorizing the Executive Director, Port of San Francisco, to accept and expend \$92,000 in State funds from the Association of Bay Area Governments (ABAG) for construction of the San Francisco Bay Trail at Pier 98 and designation of a bike route on Cargo Way and forgoing reimbursement of indirect costs; and authorizing the Port to hold ABAG harmless as required in the cooperative funding agreement. (Supervisors Katz, Bierman)

File 98-0823, Resolution No. 465-98

Adopted.

Recommendation of Parks and Recreation Committee

Adopted

[Gift Acceptance]

Resolution accepting two gifts in the total amount of \$150,000 (from Mr. Tully M. Friedman, \$50,000 through the Friends of Recreation and Parks and from the Friends of Recreation and Parks, \$100,000). (Supervisors Brown, Bierman)

File 98-0787, Resolution No. 463-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Clerk

Adopted

[Findings]

Motion adopting findings related to the appeal of the Planning Commission's disapproval of Conditional Use Application No. 97.887C, for the legalization of a fifth dwelling unit in an existing three-story, four-family dwelling in an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District on property located at 117 Bartlett Street, east side between 22nd and 23rd Streets; Lot 45, in Assessor's Block 3636.

File 98-0920, Motion No. M98-82

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

Recommendations of Finance Committee

Finally Passed

[Non-Profit Organizations, Public Access]

Ordinance amending Administrative Code, to create requirements in contracts between the City and certain non-profit organizations that ensure public access to records and meetings of the Board of Directors of the non-profit organization, and by adding subsection 67.30(D) to specify the powers possessed by the Sunshine Ordinance Task Force; companion measure to File 98-0665. (Supervisor Ammiano)

File 98-0666, Ordinance No. 198-98

(Adds Sections 12L.1 through 12L.10;
Adds Subsection 67.30(D).)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee - 9.

Noes: Supervisor Medina - 1.

Absent: Supervisor Bierman - 1.

[PUC Short-Term Indebtedness]

Ordinance amending Administrative Code, to provide a procedure for the issuance by the Public Utilities Commission of commercial paper and other short-term indebtedness in anticipation of the issuance of revenue bonds. (Public Utilities Commission)

File 98-0738, Ordinance No. 203-98

(Adds Chapter 84, Sections 84.1 thru 84.6.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 9.

Noes: Supervisor Yee - 1.

Absent: Supervisor Bierman - 1.

Recommendation of Economic Development, Transportation
and Technology Committee

Rereferred to Committee

[Motor Fuel Prices]

Ordinance amending Administrative Code to require refiners of motor fuels to divorce company-owned service stations in the City and County, to preclude refiners from owning service stations in San Francisco in the future, and barring discrimination by refiners in the wholesale prices charged to service stations in San Francisco. (Supervisors Yaki, Leal, Brown, Bierman)

File 97-97-57, Ordinance No.

(Adds Chapter 80, Sections 80.1 through 80.10.)

(May 18, 1998 - Consideration continued to June 8, 1998.)

Supervisor Medina, seconded by Supervisor Brown, moved to rerefer to Economic Development, Transportation and Technology Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Yaki - 2.

Absent: Supervisor Bierman - 1.

NEW BUSINESS

Recommendations of Economic Development, Transportation
and Technology Committee

Passed on First Reading

[Competitive Bidding Exemption]

Ordinance waiving competitive bid requirements for the Port Commission's award of public works contracts to the California Conservation Corps, the San Francisco Conservation Corps and the San Francisco League of Urban Gardeners for performance of wetlands enhancement and public access activities at Pier 98. (Supervisors Katz, Bierman)

File 98-0821, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

[Time for Award of Contracts]

Ordinance amending Administrative Code to provide for additional time for the awarding of contracts let by the Public Utilities Commission and the Public Transportation Commission; the provisions of this ordinance shall be effective July 1, 1998. (Public Utilities Commission)

File 98-0837, Ordinance No.

(Amends Section 6.1-1.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

Adopted

[Hetch Hetchy Special Discharge Agreement]

Resolution approving Special Discharge Agreement between the City and County and the Modesto Irrigation District on file with the Clerk of the Board of Supervisors in File No. 98-0845; and approving indemnifying and holding harmless District against claims arising from the City's willful misconduct or negligence. (Public Utilities Commission)

File 98-0845, Resolution No. 466-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

Adopted as Amended

[Power Plants Financial Partner]

((Resolution approving entering into an Energy Development Agreement and Financial Guaranty Agreement with a financial partner, CMS/Wellhead, a joint venture, for the potential purchase and operation of the Hunters Point and Potrero Power Plants.)) (Supervisor Bierman)

Resolution approving the selection of CMS/Wellhead and approving entering into an energy development agreement and financial guaranty agreement with a financial partner, CMS/Wellhead, a joint venture, for the potential purchase and operation of the Hunters Point and Potrero Power Plants.

File 98-0861, Resolution No. 467-98

Supervisor Ammiano on behalf of Supervisor Bierman, seconded by Supervisor Yaki, moved an amendment of the whole entitled: Resolution approving the selection of CMS/Wellhead and approving entering into an energy development agreement and financial guaranty agreement with a financial partner, CMS/Wellhead, a joint venture, for the potential purchase and operation of the Hunters Point and Potrero Power Plants.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

Recommendation of Health, Family & Environment Committee

Adopted

[Department of Public Health, Department of Rehabilitation]
Resolution authorizing the Department of Public Health, Public Health Division, Community Mental Health Services to enter into a Cooperative Program Agreement with the Department of Rehabilitation San Francisco District, including a required match of \$160,605, and which does not include patent infringement indemnification and false claims clauses, to provide vocational services to mentally-ill psychiatric clients. (Department of Public Health)

File 98-0750, Resolution No. 461-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

Recommendation of Parks and Recreation Committee

Adopted

[Interdepartmental Parks Safety Committee]
Resolution creating an Interdepartmental Parks Safety Committee to collaboratively address criminal activities within our parks in conjunction with the Police Department's Operation Parks and to provide progress reports to the Board of Supervisors' Parks and Recreation Committee on a monthly basis. (Supervisors Newsom, Bierman, Brown)

File 98-0785, Resolution No. 462-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

In connection with the above item, Supervisors Brown requested to be added as co-sponsor.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, Proposition L;
Woman, complaint regarding MUNI accident;
Jesus Gumban, claim against the city;
Rodney, supporting Salvation Army's position;
Zander, rights of disabled and elderly woman;
Zamora, expressing thanks for father's in memoriam;
Rep. of Grey Panthers, federal priorities in spending.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Adopted

[Creation of Health Model for Proposition 215]
Resolution requesting a Joint Task Force of the District Attorney and the City Attorney to create legislation establishing a San Francisco health model for the implementation of Proposition 215. (Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom)

File 98-0899, Resolution No. 468-98

(June 1, 1998 - Introduced in Board for consideration on June 8, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Leno, Medina, Newsom requested to be added as co-sponsors.

[Provision of Medical Marijuana]

Resolution urging the City Attorney and District Attorney to draft legislation allowing the City to legally provide medicinal marijuana for compassionate use purposes. (Supervisors Leno, Ammiano, Katz, Bierman, Medina, Newsom)

File 98-0902, Resolution No. 469-98

(June 1, 1998 - Introduced in Board for consideration on June 8, 1998.)

Adopted.

In connection with the above item, Supervisors Medina, Newsom requested to be added as co-sponsors.

[Domestic Partners-Absentee Voting]

Resolution requesting the California Legislature to amend the Elections Code to allow domestic partners to accept delivery of and return absentee ballots for absent voters. (Supervisors Leno, Katz, Ammiano, Bierman, Brown, Medina, Newsom)

File 98-0903, Resolution No. 470-98

(June 1, 1998 - Introduced in Board for consideration on June 8, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Medina, Newsom requested to be added as co-sponsors.

[Assembly Bill 2463-Support]

Resolution urging the California State Legislature and Governor Pete Wilson to approve Assembly Bill 2463. (Supervisors Leno, Brown, Bierman, Katz, Newsom, Medina)

File 98-0904, Resolution No. 471-98

(June 1, 1998 - Introduced in Board for consideration on June 8, 1998.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[HIV + Organ Transplants]

Resolution urging the California Director of Health Services to support organ transplants for HIV + patients. (Supervisors Leno, Ammiano, Katz, Bierman, Medina)

File 98-0905, Resolution No. 472-98

(June 1, 1998 - Introduced in Board for consideration on June 8, 1998.)

Adopted.

In connection with the above item, Supervisor Medina requested to be added as co-sponsor.

[State Grant]

Resolution authorizing the Public Library, through the Peninsula Library System, to accept and expend \$45,000 awarded by the California State Library, as part of the California Library Services and Technology Act, Database Linked Systems Program, to purchase Z39.50 client software to improve library patrons' access to regional online library catalogs. (Supervisors Medina, Bierman, Brown)

File 98-0906, Resolution No. 473-98

(June 1, 1998 - Introduced in Board for consideration on June 8, 1998.)

Adopted.

In connection with the above item, Supervisor Brown requested to be added as co-sponsor.

[Commend Angelo Quaranta and Bob McCarthy]

Resolution commending Angelo Quaranta and Bob McCarthy for their hard work and dedication to the electoral process in San Francisco. (Supervisors Medina, Bierman, Brown, Katz, Leno)

File 98-0908, Resolution No. 474-98

(June 1, 1998 - Introduced in Board for consideration on June 8, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Leno requested to be added as co-sponsors.

[Fireworks]

Resolution urging the Police Department and the Fire Department to implement community outreach and education programs regarding the dangers and penalties associated with the possession, sale, and use of fireworks and urging the District Attorney to vigorously prosecute all violations for fireworks possession, sale, and use. (Supervisors Teng, Bierman, Brown, Katz, Medina, Newsom)

File 98-0911, Resolution No. 475-98

(June 1, 1998 - Introduced in Board for consideration on June 8, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Medina, Newsom requested to be added as co-sponsors.

[Commending Marilyn Borovoy]

Resolution commending the outstanding accomplishments of Marilyn Borovoy. (Supervisors Yaki, Kaufman, Katz, Medina, Newsom)

File 98-0912, Resolution No. 476-98

(June 1, 1998 - Introduced in Board for consideration on June 8, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Medina, Newsom requested to be added as co-sponsors.

[Commending President Clinton]

Resolution commending President Clinton for amending Executive Order 11478 to prohibit discrimination based on sexual orientation in the federal civilian workforce and encouraging Congress to pass the Employment Non-Discrimination Act. (Supervisors Yee, Leno, Bierman, Bierman, Brown, Katz, Leno, Medina)

File 98-0913, Resolution No. 477-98

(June 1, 1998 - Introduced in Board for consideration on June 8, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Leno, Medina requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno)

File 98-0918, Motion No. M98-75

(June 1, 1998 - Introduced in Board for consideration on June 8, 1998.)

Adopted.

[Final Map]

Motion approving final map of 4801 Geary Blvd. and 405 12th Avenue, a Commercial and Residential Condominium Project, being a subdivision of Lot 1 in Assessor's Block No. 1532, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0930, Motion No. M98-77

(June 3, 1998 - Referred to Board for consideration on June 8, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Teng, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Medina, seconded by Supervisor Leno, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

[Imperative Resolution]

Adopted

[WritersCorps Day]

Resolution recognizing the stellar accomplishments of WritersCorps and proclaiming Tuesday, June 9 as WritersCorps Day in San Francisco.

File 98-0949, Resolution No. 478-98

Supervisor Newsom presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 10.

Absent: Supervisor Bierman - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Units Regulated; Rent Calculations]

Ordinance amending Administrative Code Sections 37.2, 37.3 and 37.9 by defining "tenant-based rental assistance;" defining "base rent" for purpose of certain rental units receiving tenant-based rental assistance or formerly receiving project-based rental assistance or indirect assistance through HUD-insured mortgages; including within the definition of "rental units" for certain purposes those units occupied by tenants receiving tenant-based rental assistance; limiting the applicability of rent increase limitations; and requiring certain notices prior to rent increases for or evictions from rental units occupied by tenants receiving tenant-based rental assistance. Mayor Willie L. Brown, Jr., Supervisors Ammiano, Brown, Leno, Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 98-0950.

[Housing Discrimination]

Ordinance amending Police Code Section 3304 to prohibit housing discrimination based on source of income and other economic discrimination. Supervisors Brown, Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 98-0951.

[MOU, Local 21]

Ordinance implementing an arbitration award for a Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County of San Francisco for the period July 1, 1998 through June 30, 2001. Supervisor Yee presented. Referred to Finance Committee.

File 98-0952.

[Advertising on Fixed Pedestal Newsracks]

Ordinance amending Section 603 of the Planning Code to exempt advertising on fixed pedestal newsracks from Planning Code requirements regulating signs. Supervisor Kaufman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0944

Referred to Board

[Mission High School Health Clinic]

Resolution urging the San Francisco Unified School District to conduct a hearing to examine the issues surrounding the Mission High School Health Clinic. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0953.

[Universal Declaration of Human Rights]

Resolution reaffirming support for creating public and private sector jobs at a living wage, urging the federal government to reduce military spending and to make available the savings for job creation and other social programs, and reaffirming support for the International Declaration of Human Rights. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0954.

Referred to Committee

[Discrimination by Cayman Islands]

Resolution expressing San Francisco's opposition to the Cayman Islands' continuing policy to exclude gay and lesbian visitors. Supervisor Ammiano presented. Referred to Health, Family and Environment Committee.

File 98-0955.

[Sharon Arts Studios in Golden Gate Park]

Resolution establishing a preference for the Sharon Arts Studios to remain in Golden Gate Park. Supervisors Brown, Ammiano, Bierman, Katz, Medina, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0956.

[Commending National Council of Negro Women, Inc.]

Resolution commending the National Council of Negro Women, Inc. on its thirteenth anniversary of the Black Family Reunion Celebration. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0957.

[Commending Freedom West Homes]

Resolution commending Freedom West Homes as it celebrates its Twenty-Fifth Anniversary of cooperative living. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0958.

[Backyard Wildlife Habitat]

Resolution commending the National Wildlife Foundation on the 25th Anniversary of the Backyard Wildlife Habitat Program and urging San Franciscans to garden for wildlife. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0959.

[Equal Benefits Ordinance Compliance]

Resolution commending businesses and organizations that comply with the Equal Benefits Ordinance and urging other businesses and organizations to comply with the ordinance. Supervisors Leno, Katz, Amiano, Newsom, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0960.

[Compressed Natural Gas Taxis]

Resolution urging the Police Commission to consider reserving a portion of taxi medallions specifically designated for compressed natural gas vehicles within the year 1998-1999 and urging the Police Department to consider allowing those vehicles to operate as taxis under the provisions of the Police Chief's Rules for longer than gasoline vehicles may operate. Supervisors Newsom, Amiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0961.

[Recycling of Plastic Containers]

Resolution urging support for a pilot program which will allow Recreation and Park Department to implement a youth employment program focusing on the recycling of plastic beverage containers. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0962.

[Youth Court]

Resolution urging support for a pilot program which will allow San Francisco Youth Court and San Francisco Recreation and Park Department to join together in a program that calls for Youth Court participants to perform reciprocal restitution at Recreation and Park sites, with a mutual goal of preventing recidivism among non-violent juvenile offenders. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0963.

[Traffic Signal - Lake Merced Boulevard]

Resolution supporting the request for a traffic signal on Lake Merced Boulevard at Middlefield Drive and urging the Department of Parking and Traffic to proceed with the installation of this signal prior to the start of the new school year in the end of August, 1998. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0964.

[Supporting the Return of Property Taxes]

Resolution urging the California State Legislature to support the return of property taxes to local governments. Supervisor Yaki presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0965.

Referred to Committee

[Proposition K]

Resolution supporting the June 2, 1998 voter approval of Proposition K. Supervisor Yee presented. Referred to Economic Development, Transportation, and Technology Committee.

File 98-0966.

Requests for Hearings:

[Homeless Youth]

Hearing to consider issues related to homeless youth and to develop an action plan to address the unique needs of homeless youth, including the need for better coordination of services. Supervisor Katz presented. Referred to Health, Family and Environment Committee.

File 83-97-002.

[Golden Gate Park Conservatory of Flowers]

Hearing to consider the status of repairs at the Conservatory of Flowers. Supervisor Ammiano presented. Referred to Parks and Recreation Committee.

File 98-0967.

[Fast Pass on MUNI]

Hearing to consider the efforts to renew the agreement with BART and MUNI to allow use of the MUNI Fast Pass for trips on BART that start and end in San Francisco and on progress toward extending the agreement to include users of the Discount MUNI Fast Pass who are seniors or disabled riders. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0968.

[Alemany Farmers Market]

Hearing to consider general issues relating to the Alemany Farmers Market. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0969.

[Market Street Corridor]

Hearing to consider sanitation issues along the Market Street Corridor including the exploration of the hours of operation of public toilets along Market Street as well as what steps can be taken to ensure the accessibility of indigent and homeless individuals to those toilets. Supervisor Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0970.

[Housing Options For People With Disabilities]

Hearing to consider the availability of rental housing for people with disabilities within the City and County of San Francisco. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 98-0971.

[Mayor's Taxi Task Force Recommendations]

Hearing to consider plans of the Department of Parking and Traffic, Airport and Police Taxi Detail, if any, for pursuing recommendations of the Mayor's Taxi Task Force which require department action. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0972.

[Chevron Pipeline]

Hearing to consider the Chevron Pipeline lease currently being negotiated between the Public Utility Commission and Chevron. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0973.

Motions:

Referred to Board

[Suspend Thirty Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, units regulated by the Rent Stabilization and Arbitration Ordinance and defining base rent for units occupied by tenants receiving tenant-based rental assistance or formerly receiving project-based rental assistance or indirect assistance through HUD-insured mortgages. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0974.

[Suspend Thirty Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, amending Article 33 of the San Francisco Police Code, Section 3304, to prohibit housing discrimination based on source of income and other economic discrimination. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0975.

[Winter Storms Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. Supervisors Kaufman, Amiano, Katz, Bierman, Medina, Leno, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 15, 1998.

File 98-0976.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0885. [Sidewalk Width Regulations] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1542 to change the official sidewalk width of a portion of: a) Ninth Street between Brannan and Division Streets and b) Division Street between Brannan and Ninth Streets, as shown on the Department of Public Works drawing labeled Q-20-482, making findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk width regulations. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 98-0887. [Sidewalk Width Regulations] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1541 to change the official sidewalk width at the southwesterly corner of Bryant and Delancey Streets, as shown on the Department of Public Works drawing labeled Q-20-483, making findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk and width changes. (Department of Public Works) Referred to Housing and Neighborhood Services Committee.

File 98-0888. [Parking Authority Representation in Organizations] Ordinance amending Administrative Code by amending Section 16.6-15, providing for the representation of the City and County in certain organizations. (Department of Parking and Traffic) Referred to Rules Committee.

File 98-0889. [DPT Representation in Organizations] Ordinance amending Administrative Code by adding Section 16.6-61, providing for the representation of the City and County in certain organizations. (Department of Parking and Traffic) Referred to Rules Committee.

File 98-0890. [Contractor Permit Fees] Ordinance amending Traffic Code by amending Section 202.C, providing for contractor permit fees. (Department of Parking and Traffic) Referred to Finance Committee.

File 98-0891. [Permit Fees] Ordinance amending Traffic Code by amending Section 314, providing for residential permit fees. (Department of Parking and Traffic) Referred to Finance Committee.

File 98-0925. [MOU, Local 216] Ordinance implementing the provisions of an arbitration award for a Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County of San Francisco to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 98-0926. [MOU, Local 39] Ordinance implementing the provisions of a mediated settlement for a Memorandum of Understanding between the International Union of Operating Engineers Stationary Engineers, Local 39 and the City and County of San Francisco to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 98-0927. [MOU, Deputy Sheriff's Association] Ordinance implementing an arbitration award for a Memorandum of Understanding between the Deputy Sheriff's Association and the City and County of San Francisco to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 98-0928. [MOU, MEA-Bargaining Units M, EM, MSA] Ordinance implementing the provision of an agreement of a Memorandum of Understanding between the Municipal Executives Association (for Bargaining Units M, EM, and MSA) and the City and County of San Francisco to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources) Referred to Finance Committee.

File 98-0929. [Settlement of Grievance, Local 6] Ordinance authorizing settlement of the acting assignment pay grievance of Ron Perez filed pursuant to the Memoranda of Understanding between the International Brotherhood of Electrical Workers, Local 6 in the amount of Thirteen Thousand Three Hundred Fifty One Dollars and Forty Cents (\$13,351.40). (Department of Human Resources) Referred to Finance Committee.

File 98-0931. [Amendment to MOU, MEA-Bargaining Unit MSA] Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives Association for the period July 1, 1997 through June 30, 1998 to add the Management Special Assistant Bargaining Unit ("MSA") under specified conditions. (Department of Human Resources) Referred to Finance Committee.

File 98-0932. [Luz-Mary Harris, v. CCSF, et al.] Ordinance authorizing settlement of litigation of Luz-Mary Harris against the City and County of San Francisco by payment of \$100,000. (United States District Court No. C97-3379 CW). (City Attorney) Referred to Rules Committee.

File 98-0933. [Susan Brown, et al. v. CCSF, et al.] Ordinance authorizing settlement of litigation of Susan Brown and Shannon Murphy, by and through Guardian ad Litem, Susan Brown against the City and County of San Francisco by payment of \$79,000. (Superior Court 982-030). (City Attorney) Referred to Rules Committee.

Resolutions Referred to Committee

File 98-0921. [Park and Open Space Fund, 1998-1999] Resolution concurring with the general recommendations of the Park and Open Space Fund for fiscal year 1998-1999, reserving approval or disapproval on specific acquisitions. (Recreation and Park Department) Referred to Parks and Recreation Committee.

File 98-0922. [Emergency Repair, Hattie Street Sewer] Resolution approving expenditure of funds for the emergency work to replace the structurally inadequate sewer on Hattie Street from Market Street to Corbett Street - \$93,870. (Public Utilities Commission) Referred to Finance Committee.

File 98-0923. [Emergency Repair, Douglass Street Sewer] Resolution approving the expenditure of funds for the emergency work to replace the structurally inadequate sewer on Douglass Street from 24th Street to 25th Street - \$164,164. (Public Utilities Commission) Referred to Finance Committee.

File 98-0924. [State Grant for Child Abuse Prevention] Resolution authorizing the Department of Human Services to accept, expend, and administer \$511,338 of State funds, which include indirect costs in the amount of \$12,783 based on 2-1/2 percent of the total award, allocated through AB 1733 by the State of California for fiscal years 1997-98, 1998-99, and 1999-2000 and authorizing the Department of Human Services to execute an agreement with the State Department of Social Services for the purpose of funding child abuse and neglect prevention and intervention services. (Department of Human Services) Referred to Health, Family and Environment Committee.

File 98-0934. [IHSS Contract with Addus Healthcare] Resolution approving the contract between the City and County of San Francisco and Addus Healthcare for the provision of In-Home Supportive Services for the period from July 1, 1998 to June 30, 2001, with a possible renewal for one year, in the amount of \$15,313.457. (Department of Human Services) Referred to Finance Committee.

File 98-0935. [IHSS Contract with IHSS Consortium of S.F.] Resolution approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 1998 to June 30, 2001, with a possible renewal for one year, in the amount of \$15,457,500. (Department of Human Services) Referred to Finance Committee.

File 98-0936. [Redevelopment Agency Interim Budget, 1998-99] Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of Francisco for fiscal year 1998-99. (Redevelopment Agency) Referred to Finance Committee.

File 98-0937. [Redevelopment Agency Budget and Bonds, 1998-99] Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1998-1999. (Redevelopment Agency) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Yee, that letter of inquiry be sent to all department heads requesting a written report of their policies for having translation services available at the public hearings that fall under the purview of their departments, including boards and commissions.

By Supervisor Ammiano, that the City Attorney draft legislation to reconstitute the Treasure Island Development Authority, consistent with the will of the voters in passing Proposition K on the June ballot, such that a new Authority with responsibility for planning and development on Treasure Island

would include four representatives appointed by the Mayor and eleven representatives appointed by the Board of Supervisors.

By Supervisor Ammiano, that the City Attorney draft legislation to create property tax incentives for new landlords who participate in tenant-based subsidy programs, including Section 8 and Housing Opportunities for People with AIDS (HOPWA), for current Section 8 and HOPWA landlords who increase their participation in these programs.

By Supervisor Katz, that the City Attorney prepare legislation that would amend the Administrative Code to provide that, where a residential landlord seeks certification of rental increases for capital improvements and for costs attributed to bond measures that have been passed by the voters, the landlord and tenant(s) in benefited units will share the capital improvement costs 50%-50%.

By Supervisors Kaufman, Teng that the City Attorney prepare legislation bringing the City into compliance with Proposition F regarding the City Hall project; including whatever waivers are necessary for fiscal, legal, and scientific reasons as stated in the Proposition.

By Supervisor Newsom, that letter of inquiry be sent to the Director of the Department of Parking and Traffic requesting a timeline for installation of Stop signs at the following intersections: Buchanan and Chestnut; Clay and Maple; Sacramento and Maple; and Lyon and Jackson.

By Supervisor Newsom, that letter of inquiry be sent to the Director of the Department of Parking and Traffic, the Director of the Airport and the Chief of Police for the Taxi Detail inquiring about the plans of the department, if any, to implement the recommendations of the Mayor's Taxi Task Force which require department action for presentation at a hearing to discuss an implementation timeline before the Economic Development, Transportation and Technology Committee. (See also File 98-0972)

By Supervisor Yaki, that the City Attorney prepare legislation that would extend the provisions of San Francisco Traffic Code Section 33.1A until June 30, 1999.

By Supervisor Yaki, that the City Attorney prepare legislation that would amend Section 33 of the San Francisco Traffic Code to require a minimum 72-hour minimum notice for special event temporary no-parking zones in residential neighborhoods.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

George Furlough (Supervisor Kaufman)
Angela Santos (Supervisor Kaufman)
Sgt. Kenneth Sugrue (By the entire Board)
Edilberto Peralta, Sr. (Supervisor Brown).

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:06 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 10, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, June 15, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 15, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki, Yee - 11.

Quorum present.

COMMUNICATION

The Clerk presented the following communication from his Honor, Mayor Willie L. Brown, Jr.:

Letter signed by the Mayor indicating, as part of the Fiscal Year 1998-1999 Budget proposal, he has included a new Department of Emergency Communications, which would oversee all 911 related activities. The new organizational structure will create a freestanding department that better serves residents and clarifies reporting relationships among City departments that render and support emergency services. (A copy of the letter is on file with the Clerk of the Board of Supervisors in File No. 98-0998.)

CONSENT CALENDAR

Recommendations of Economic Development, Transportation
and Technology Committee

Finally Passed

[Competitive Bidding Exemption]

Ordinance waiving competitive bid requirements for the Port Commission's award of public works contracts to the California Conservation Corps, the San Francisco Conservation Corps and the San Francisco League of Urban Gardeners for performance of wetlands enhancement and public access activities at Pier 98. (Supervisors Katz, Bierman)

File 98-0821, Ordinance No. 206-98

Finally passed.

[Time for Award of Contracts]

Ordinance amending Administrative Code to provide for additional time for the awarding of contracts let by the Public Utilities Commission and the Public Transportation Commission; the provisions of this ordinance shall be effective July 1, 1998. (Public Utilities Commission)

File 98-0837, Ordinance No. 207-98

(Amends Section 6.1-1.)

Finally passed.

Recommendations of Housing and Neighborhood Services Committee

Passed on First Reading

[Sidewalk Width Regulations, Day Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1537 changing the official sidewalk width on the south side of Day Street west of Church Street, as shown on the revised Department of Public Works drawing labeled Q-20-451 (change 1) and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-97-2, Ordinance No.

Passed on first reading.

Adopted

[Stop Intersections]

Resolution designating certain intersections as "STOP" intersections. (Department of Parking and Traffic)

File 98-0743, Resolution No. 480-98

(Stop Signs - Establish

32nd Avenue and Ulloa Street, northwest and southeast corners, stopping 32nd Avenue (makes this an all-way Stop);

48th Avenue and Irving Street, northwest and southeast corners, stopping 48th Avenue (makes this an all-way Stop);

Princeton and Sweeney Streets, all corners, stopping all approaches (makes this T-intersection an all-way Stop).)

Adopted.

[Parking Regulations, Various Locations]

Resolution enacting and rescinding parking regulations at various locations. (Department of Parking and Traffic)

File 98-0744, Resolution No. 481-98

(Compact Parking Only - Establish

Diagonal (60-Degree Angle) Parking - Establish

Green Street, north side, from Sansome Street to the west terminus (legalizes existing condition).

No Parking Anytime - Rescind

Alemany Boulevard, east side, from Seneca Avenue to 33 feet southerly (33-foot zone);

Alemany Boulevard, west side, from Seneca Avenue to 45 feet northerly (45-foot zone).

Residential Permit Parking Area "W" (1-Hour Time Limit, 8 am - 6 pm, Monday through Friday) - Establish

De Haro Street, west side, between 24th and 25th Streets (even-numbered side of the 1300 block).

Tow-Away, No Parking Anytime - Establish

Cesar Chavez Street, south side, from Diamond Street to 50 feet easterly (50-foot zone).

No Parking Anytime - Rescind

Tow-Away, No Parking Anytime - Establish

Gilbert Street, west side, from Brannan Street to south terminus.)

Adopted.

[Traffic Regulations, Various Streets]

Resolution enacting and rescinding traffic regulations on various streets. (Department of Parking and Traffic)

File 98-0745, Resolution No. 482-98

(Crosswalk Closure - Establish

Cesar Chavez and Connecticut Streets, west crosswalk, crossing Cesar Chavez Street (officially closes crosswalk).

No Left Turns, 4 pm - 7 pm, Monday through Friday; No Left Turns, Except Taxis, all other times - Rescind

No Left Turns, 4 pm - 7 pm, Monday through Friday; No Left Turns, Except Buses and Taxis, all other times - Establish

Mission Street, westbound, at 10th Street.

No Left Turns, 4 pm - 7 pm, Monday through Friday; No Left Turns, Except Taxis, all other times - Rescind
No Left Turns, 4 pm - 7 pm, Monday through Friday; No Left Turns, Except MUNI and Taxis, all other times - Establish

Mason Street, southbound, at Market Street;

Mission Street, eastbound, at 3rd Street;

Mission Street, westbound, at 4th Street.

No Left Turns, 7 am - 9 am and 4 pm - 6 pm, Monday through Friday; No Left Turns, Except Taxis, all other times - Rescind
No Left Turns, 7 am - 9 am and 4 pm - 6 pm, Monday through Friday; No Left Turns, Except MUNI and Taxis, all other Times - Establish

4th Street, northbound, at Townsend Street.

No U-Turns - Establish

Columbus Avenue, northbound, at Union Street.

Right Lane Must Turn Right, Except Buses and Bicycles - Establish

Polk Street, west curb lane (southbound), between Grove and Hayes Streets.

Right Turn Only - Establish

Bosworth Street, westbound, at Elk Street (within channelized right turn lane).

Tow-Away, No Stopping, 7 am - 9 am, Monday through Friday - Rescind

Market Street, south side, from 156 feet to 260 feet west of 8th Street (104-foot zone).

Tow-Away, No Stopping, 9 am - 7 pm, Everyday - Rescind

Fell Street, north side, from Stanyan Street to 135 feet easterly (135-foot zone, to be replaced by a longer zone).

Tow-Away, No Stopping, 9 am - 7 pm, Everyday - Establish

Fell Street, north side, from Stanyan Street to 160 feet easterly (160-foot zone, replacing and extending existing zone).

Tow-Away, No Stopping, 7 am - 7 pm, Monday through Friday - Rescind

Bush Street, north side, between Sansome and Battery Streets.

Tow-Away, No Stopping, 7 am - 9 am and 3 pm - 7 pm, Monday through Friday - Establish

Bush Street, north side, from Sansome Street to 153 feet easterly (153-foot zone).

Diamond Lane, 7 am - 9 am and 3 pm - 7 pm, Monday through Friday - Establish

Bush Street, north curb lane, from Sansome Street to 153 feet easterly (153-foot zone).

Tow-Away, No Stopping anytime - Establish

Bush Street, north side, from Battery Street to 122 feet westerly (122-foot zone).

Diamond Lane - Establish

Bush Street, north curb lane, from Battery Street to 122 feet westerly (122-foot zone).

Tow-Away, No Stopping anytime - Establish

Bush Street, south side, from Battery Street to 132 feet westerly (132-foot zone, eliminates meters #103, #105, #109, #111, and #113).

Diamond Lane, 7 am - 9 am and 3 pm - 7 pm, Monday through Friday - Rescind

Bush Street, south curb lane, between Sansome and Battery Streets.)

Adopted.

Recommendations of Rules Committee

Passed on First Reading

[Schiefer v. CCSF, et al]
Ordinance authorizing settlement of litigation of Catherine M. Schiefer v. City and County, et al., by payment of \$60,000. (City Attorney)

File 98-0843, Ordinance No.

(Superior Court No. 986-705.)

Passed on first reading.

[Patrick Wong, et al. v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Patrick Wong against the City and County by payment of \$45,000. (City Attorney)

File 98-0876, Ordinance No.

(Superior Court No. 975-085.)

Passed on first reading.

[Hosea Larue Shaw, Jr. et al., v. CCSF, et al.]
Ordinance authorizing settlement of litigation of Hosea Larue Shaw, Jr., et. al. against the City and County by payment of \$50,000. (City Attorney)

File 98-0877, Ordinance No.

(Superior Court No. 986-117).

Passed on first reading.

[CCSF, v. Assessment Appeals Bd./Federal Reserve]
Ordinance authorizing settlement of litigation of the City and County's lawsuit against the Assessment Appeals Board Number 1 (the nominal defendant) and the Federal Reserve Bank (the real party in interest), and applications for reduced property tax assessments pending before the Assessment Appeals Board by refunding \$583,924 plus interest on any delay in payment beyond August 15, 1998. (City Attorney)

File 98-0878, Ordinance No.

Passed on first reading.

Adopted

[Appointment]
Resolution appointing member to the Park and Open Space Advisory Committee, for new two-year term ending July 15, 1999. (Rules Committee)

File 92-97-32, Resolution No. 479-98

(Mable Ng, succeeding Gregory J. Garr, Seat No. 23313, S.F. Beautiful, term expired.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Finance Committee

Passed on First Reading

[Interim Annual Appropriation Ordinance, 1998-1999]

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1999; companion measure to File 98-0853. (Mayor Willie L. Brown, Jr.)

File 98-0852, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Interim Annual Salary Ordinance, 1998-1999]

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1999, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor; companion measure to File 98-0852. (Mayor Willie L. Brown, Jr.)

File 98-0853, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

Adopted

[Interim Redevelopment Agency Budget, 1998-1999]

Resolution approving an interim budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1998-99. (Redevelopment Agency)

File 98-0936, Resolution No. 488-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

Passed on First Reading

[Water Rates]

Ordinance approving revised schedule of rates to be charged by the Public Utilities Commission for water service to its suburban resale customers. (Public Utilities Commission)

File 98-0880, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

[MOU, Local 856]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Teamsters Local 856 and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0838, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

[MOU, Local 350]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Teamsters Local 350 and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0839, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

[MOU, Municipal Attorneys Association (MAA)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Municipal Attorneys Association and the City and County to be effective July 1, 1998 through June 30, 2001. (Mayor Willie L. Brown, Jr.)

File 98-0886, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

[MOU, Local 200 (S.E.A.M.)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Transport Workers Union, Local 200 (S.E.A.M.) and the City and County to be effective for the period July 1, 1998 through June 30, 2001. (Supervisor Teng)

File 98-0892, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

[MOU, Local 250-A (7410 Automotive Service Worker)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County to be effective July 1, 1998 through June 30, 2001. (Supervisor Teng)

File 98-0893, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

[MOU, Local 250-A (Multi-Unit)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Transport Workers Union, Local 250-A (Multi-Unit) and the City and County to be effective for the period July 1, 1998 through June 30, 2001. (Supervisor Teng)

File 98-0894, Ordinance No.

(Fiscal Impact.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

[MOU, Local 216]

Ordinance implementing the provisions of an arbitration award for a Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0925, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[MOU, Local 39]

Ordinance implementing the provisions of a mediated settlement for a Memorandum of Understanding between the International Union of Operating Engineers Stationary Engineers, Local 39 and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0926, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[MOU, MEA-Bargaining Units M, EM, MSA]

Ordinance implementing the provisions of an agreement of a Memorandum of Understanding between the Municipal Executives Association (for Bargaining Units M, EM, and MSA) and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0928, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Amendment to MOU, MEA-Bargaining Unit MSA]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the City and County and the Municipal Executives Association for the period July 1, 1997 through June 30, 1998 to add the Management Special Assistant Bargaining Unit ("MSA") under specified conditions. (Department of Human Resources)

File 98-0931, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Official Newspaper, FY 1998-99]

Resolution designating the San Francisco Independent to be official newspaper for specified categories of official advertising, commencing July 1, 1998. (Purchasing Department)

File 98-0882, Resolution No. 486-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[Official Newspaper, FY 1998-99]

Resolution designating the S.F. Examiner to be official newspaper of the City and County of San Francisco for specified categories of advertising, commencing July 1, 1998. (Purchasing Department)

File 98-0883, Resolution No. 487-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendation of Health, Family and Environment Committee

Adopted

[International Tobacco Control]

Resolution urging the United States Congress to include the International Tobacco Control Legislative Package in any national tobacco legislation, including the "Bipartisan No Tobacco For Kids Act of 1998". (Supervisor Bierman)

File 98-0815, Resolution No. 484-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendation of Housing and Neighborhood Services Committee

Adopted

[Hold Harmless Agreement]

Resolution authorizing the Chief of Police to execute a hold harmless agreement with the Santa Clara County Department of Corrections and TFP, Inc., concerning participation of the Police Department in the Western-DIN Network for enhanced access and sharing of digital mugshot images. (Police Commission)

File 98-0791, Resolution No. 483-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Recommendation of Rules Committee

Adopted

[Statute of Limitations]

Resolution waiving the statute of limitations with respect to payment of certain warrant of the City and County, in the amount of \$69,780.05, a legal obligation of the City and County. (Controller)

File 98-0844, Resolution No. 485-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Bob Planthold, parent participation;
Carolyn, Sharon Art Studio;
Wes Slagle, parking facility.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Appointment of President Pro Tempore

At the request of the President, Supervisor Teng assumed the Chair.

Conference with City Attorney - Litigation

From the President

Adopted

[Closed Session]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney regarding pending litigation in the case of O'Hara v. City and County of San Francisco, California Court of Appeals No. A082474; S.F. Superior

Court No. 992-704 (Owner-Move-In Litigation). The closed session will be held pursuant to Government Code Section 54956.9(a) and Administrative Code Section 67.11(b).

Supervisors Kaufman, Newsom, Yee Excused from Voting.

Supervisors Kaufman, Newsom and Yee were excused from voting on this item by previous action of the Board. (See Journal of Proceedings of April 13, 1998.)

Supervisor Ammiano, seconded by Supervisor Medina, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Excused: Supervisors Kaufman, Newsom, Yee - 3.

Recess

The Board recessed at the hour of 2:59 p.m. to convene in closed session.

Reconvening of the Board

The Board reconvened at the hour of 3:09 p.m.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Noted absent: Supervisors Kaufman, Newsom, Yee - 3.

Quorum present.

Report on Closed Session

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elects at this time not to disclose its closed session deliberations concerning the possible litigation.

Supervisor Ammiano, seconded by Supervisor Medina, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Excused: Supervisors Kaufman, Newsom, Yee - 3.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Ammiano requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Mission High School Health Clinic]

Resolution urging the San Francisco Unified School District to conduct a hearing to examine the issues surrounding the Mission High School Health Clinic. (Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina)

File 98-0953, Resolution No. 489-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Supervisor Ammiano, seconded by Supervisor Yaki, moved to amend lines 12 and 13 by deleting the entire "whereas" clause.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

In connection with the above item, Supervisors Brown, Katz, Leno, Medina requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Medina requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Suspend Thirty Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, units regulated by the Rent Stabilization and Arbitration Ordinance and defining base rent for units occupied by tenants receiving tenant-based rental assistance or formerly receiving project-based rental assistance or indirect assistance through HUD-insured mortgages. (Supervisors Ammiano, Bierman)

File 98-0974, Motion No. M98-78

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Medina requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Suspend Thirty Day Rule]

Motion suspending Rule 5.40 of the Rules of Order of the Board of Supervisors to allow the Board of Supervisors to consider, without waiting 30 days after its introduction, amending Article 33 of the San Francisco Police Code, Section 3304, to prohibit housing discrimination based on source of income and other economic discrimination. (Supervisors Brown, Bierman)

File 98-0975, Motion No. M98-79

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Universal Declaration of Human Rights]

Resolution reaffirming support for creating public and private sector jobs at a living wage, urging the federal government to reduce military spending and to make available the savings for job creation and other social programs, and reaffirming support for the International Declaration of Human Rights. (Supervisors Ammiano, Bierman, Katz, Leno, Medina)

File 98-0954, Resolution No. 490-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Medina requested to be added as co-sponsors.

[Sharon Art Studio in Golden Gate Park]

Resolution establishing a preference for the Sharon Art Studio to remain in Golden Gate Park. (Supervisors Brown, Ammiano, Bierman, Katz, Medina, Teng, Newsom, Leno)

File 98-0956, Resolution No. 491-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

In connection with the above item, Supervisors Newsom, Leno requested to be added as co-sponsors.

[Commending National Council of Negro Women, Inc.]

Resolution commending the National Council of Negro Women, Inc. on its Thirteenth Anniversary of the Black Family Reunion Celebration. (Supervisors Brown, Bierman, Katz, Newsom, Teng, Leno, Medina)

File 98-0957, Resolution No. 492-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Newsom, Teng, Leno, Medina requested to be added as co-sponsors.

[Commending Freedom West Homes]

Resolution commending Freedom West Homes as it celebrates its Twenty-Fifth Anniversary of cooperative living. (Supervisors Brown, Bierman, Katz, Teng, Leno)

File 98-0958, Resolution No. 493-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Teng, Leno requested to be added as co-sponsors.

[Backyard Wildlife Habitat]

Resolution commending the National Wildlife Foundation on the 25th Anniversary of the Backyard Wildlife Habitat Program and urging San Franciscans to garden for wildlife. (Supervisors Leno, Bierman, Katz, Newsom, Teng, Medina)

File 98-0959, Resolution No. 494-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Newsom, Teng, Medina requested to be added as co-sponsors.

[Equal Benefits Ordinance Compliance]

Resolution commending businesses and organizations that comply with the Equal Benefits Ordinance and urging other businesses and organizations to comply with the ordinance. (Supervisors Leno, Katz, Ammiano, Newsom, Teng, Bierman, Brown, Medina)

File 98-0960, Resolution No. 495-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Medina requested to be added as co-sponsors.

[Compressed Natural Gas Taxis]

Resolution urging the Police Commission to consider reserving a portion of taxi medallions specifically designated for compressed natural gas vehicles within the year 1998-1999 and urging the Police Department to consider allowing those vehicles to operate as taxis under the provisions of the Police Chief's Rules for longer than gasoline vehicles may operate. (Supervisors Newsom, Ammiano, Teng, Leno, Medina, Bierman)

File 98-0961, Resolution No. 496-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Leno, Medina, Bierman requested to be added as co-sponsors.

[Recycling of Plastic Containers]

Resolution urging support for a pilot program which will allow Recreation and Park Department to implement a youth employment program focusing on the recycling of plastic beverage containers. (Supervisors Newsom, Brown, Teng, Leno, Bierman)

File 98-0962, Resolution No. 497-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Teng, Leno, Bierman requested to be added as co-sponsors.

[Youth Court]

Resolution urging support for a pilot program which will allow San Francisco Youth Court and San Francisco Recreation and Park Department to join together in a program that calls for Youth Court participants to perform reciprocal restitution at Recreation and Park sites, with a mutual goal of preventing recidivism among non-violent juvenile offenders. (Supervisors Newsom, Bierman, Teng, Leno)

File 98-0963, Resolution No. 498-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

In connection with the above item, Supervisors Teng, Leno requested to be added as co-sponsors.

[Traffic Signal - Lake Merced Boulevard]

Resolution supporting the request for a traffic signal on Lake Merced Boulevard at Middlefield Drive and urging the Department of Parking and Traffic to proceed with the installation of this signal prior to the start of the new school year in the end of August, 1998. (Supervisors Teng, Leno)

File 98-0964, Resolution No. 499-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

[Supporting the Return of Property Taxes]

Resolution urging the California State Legislature to support the return of property taxes to local governments. (Supervisors Yaki, Leno)

File 98-0965, Resolution No. 500-98

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

In connection with the above item, Supervisor Leno requested to be added as co-sponsor.

[Winter Storms Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. (Supervisors Kaufman, Ammiano, Katz, Bierman, Medina, Leno, Newsom)

File 98-0976, Motion No. M98-80

(June 8, 1998 - Introduced in Board for introduction on June 15, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following two motions.

Adopted

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yaki, seconded by Supervisor Leno, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Yaki, seconded by Supervisor Leno, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

[Imperative Resolution]

Adopted

[Commend Frameline]

Resolution honoring Frameline for being the world's source for Lesbian and Gay film, video and alternative media.

File 98-0999, Resolution No. 501-98

Supervisors Katz, Leno, Ammiano, Bierman, Yee, Brown, Medina, Teng, Newsom, Yaki, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki - 8.

Absent: Supervisors Kaufman, Newsom, Yee - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Street Tree Removal]

Ordinance amending Public Works Code by amending Sections 802, 806 and 809 to expand the public notice and appeal procedures regarding street tree removal by City agencies, commissions or departments and to permit the imposition of specified fees to compensate for the removal of a nuisance street tree; companion measure to Files 98-0992, 98-0993, 98-0994. Supervisors Katz, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0991.

[Street Tree Removal Appeal Fee]

Ordinance amending Municipal Code, Part III, by amending Section 8 to establish a fee for filing an appeal from the decision of the Director of the Department of Public Works concerning street tree removal by a City agency, commission or department; companion measure to File 98-0991. Supervisors Katz, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0992.

[Hotel Tax Protocol Allocation]

Ordinance amending Municipal Code, Part III by amending Section 515.01 to delete the allocation for the Office of Protocol. Supervisor Kaufman presented. Referred to Finance Committee.

File 98-0995.

[Business Establishments/Public Accommodations]

Ordinance amending Police Code Section 3305, making unlawful discrimination in business establishments and public accommodations between patrons who have domestic partners and patrons who have spouses. Supervisors Leno, Ammiano, Katz, Bierman presented. Referred to Health, Family and Environment Committee.

File 98-0996.

[Department of Emergency Communications]

Ordinance amending Administrative Code by amending Section 7.7 to eliminate the authority of the Director of Emergency Services to manage the City's 911 communications facility and by adding Section 2A.200 to create a Department of Emergency Communications, under a Director of Emergency Communications appointed by the Mayor, to operate the City's 911 communications facility. Supervisor Medina presented. Referred to Finance Committee.

File 98-0998.

[Treasure Island Management] Ordinance supporting the June 2, 1998 voter approval of Proposition K, declaration of policy with respect to the operation and land use management of Treasure Island. Supervisor Yee presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0997.

Monday, June 15, 1998

Called from Committee

[Sutro Tower Dynamic Analysis]

Resolution directing the Director of the Department of Building Inspection to require Sutro Tower, Inc. to perform a full dynamic analysis of Sutro Tower and report the results to the Board of Supervisors before construction of any additional structures to the tower. Supervisors Bierman, Ammiano, Yee. Called from Economic Development, Transportation and Technology Committee by Supervisors Yee, Bierman, with direction to schedule for Board meeting of June 22, 1998.

File 98-0678.

Referred to Committee

[Tree Removal from City Property]

Resolution urging all City agencies, commissions and departments to adopt notice procedures for the removal of trees that are visible from the public right-of-way and to submit reports describing methods of compliance with the resolution to the Commission on the Environment. Supervisors Katz, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0993.

[Street Tree Removal, Port Jurisdiction]

Resolution urging the Port Commission to adopt notice and appeal procedures for the removal of street trees that are similar to the procedures applicable to City agencies, commissions and departments which are set forth in pending amendments to Public Works Code Section 806; companion measure to Files 98-0991, 98-0992, 98-0993. Supervisors Katz, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0994.

Referred to Board

[Commend Charles Bolton]

Resolution commending Charles Bolton, Bernal Heights resident, for his decade of service and activism to make Bernal Heights a better, greener, cleaner and safer place. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 22, 1998.

File 98-1000.

[Commend United Parcel Service Volunteers]

Resolution commending United Parcel Service volunteers for their participation in the 1998 California AIDS Ride. Supervisors Leno, Kaufman, Katz, Bierman, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 22, 1998.

File 98-1001.

[State Legislation, SB 7]

Resolution supporting Senate Bill 7, which regulates early satellite voting locations. Supervisors Yee, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 22, 1998.

File 98-1002.

[Alternative Fuel Ferries]

Resolution urging the San Francisco Port Commission, the City of Vallejo and other public and private ferry operators to explore the use of ferries powered by natural gas or another alternative fuel for new or existing ferry service. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 22, 1998.

File 98-1003.

Referred to Committee

[Treasure Island Development Authority]

Resolution directing the Treasure Island Development Authority to amend its bylaws and Articles of Incorporation to expand the number of directors of the Board of Directors of the Authority to fifteen, eleven of whom shall be comprised of the then current members of the City's Board of Supervisors, or their respective designees; and four of whom shall be appointed by the Mayor. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1004.

Referred to Board

[Hate Crimes]

Resolution condemning hate crimes. Supervisor Brown presented. Referred to Board for Adoption Without Committee Reference Calendar June 22, 1998.

File 98-1005.

[Homeless Youth Working Group]

Resolution calling for the formation of a Homeless Youth Working Group, to be composed of representatives from City departments, private and non-profit service providers, the Youth Commission and members of the Homeless Youth Community, to work in conjunction with the Homeless Coordinating Local Board to develop a strategy to address the unique needs of San Francisco homeless youth. Supervisor Katz presented. Referred to Board for Adoption Without Committee Reference Calendar June 22, 1998.

File 98-1006.

Referred to Committee

[City Hall Exemptions From Proposition F]

Resolution complying with Proposition F (City Hall use and occupancy) by exempting certain departments from occupying the same space in City Hall as those departments occupied as of October 17, 1989 and by exempting certain historical exterior and interior appurtenances of City Hall as of October 17, 1989 from being preserved. Supervisors Kaufman, Teng, Bierman, Katz, Brown, Yaki, Medina, Newsom, Leno presented. Referred to Finance Committee.

File 98-1007.

[Appointment]

Resolution appointing Isabella Horton Grant as member, Ethics Commission for a four-year term ending June 8, 2002. Supervisor Kaufman presented. Referred to Rules Committee.

File 98-1008.

Referred to Board

[AIDS and HIV Health Care]

Resolution urging the Health Service Board to ensure that all health care providers who provide care for City employees, retirees and their dependents assure that high quality, comprehensive, affordable and accessible health care is available for persons with HIV by adopting the Insurance Issues Subcommittee Report from the Mayor's Summit on AIDS and HIV and the reports recommendations. Supervisors Leno, Ammiano, Katz presented. Referred to Board for Adoption Without Committee Reference Calendar June 22, 1998.

File 98-1009.

Referred to Committee

[Disaster Contingency Plans]

Resolution urging that the City and County Disaster Council provide disaster contingency plans which include provisions for the disabled population and that the council include a representative from the disabled population to aid in this project. Supervisor Medina presented. Referred to Housing and Neighborhood Services Committee.

File 98-1010.

Referred to Board

[Multi-use Resources with Schools]

Resolution urging the Recreation and Park Department, the Department of Parking and Traffic, the Public Utilities Commission and the Real Estate Department to collaborate with the San Francisco Unified School District in developing a plan for multi-use of resources. Supervisor Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 22, 1998.

File 98-1011.

Referred to Committee

[Treasure Island Public Access]

Resolution urging the Treasure Island Development Authority to study and develop a limited public access plan and report the plan to the Economic Development, Transportation and Technology Committee of the Board of Supervisors within 30 days of the passage of this resolution. Supervisor Yaki presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1012.

Referred to Committee

[National Archives and Records]

Resolution urging the National Archives and Records Administration to retain a California office for housing of Asian American documents and artifacts. Supervisor Yee presented. Referred to Board for Adoption Without Committee Reference Calendar June 22, 1998.

File 98-1013.

Requests for Hearings:

[Sheila Deto Investigation]

Hearing to consider the current status and findings surrounding the incident at the Oakwood Apartment Complex resulting in the death of Ms. Sheila Deto. Supervisor Ammiano presented. Referred to Housing and Neighborhood Services Committee.

File 98-1014.

[Presidio Trust Funds and Services]

Hearing to consider City policy regarding funds and services to the Presidio Trust. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1015.

[MBE/WBE/LBE Program]

Hearing to consider the circumstances that may impede the realization for an effective minority business enterprise/women business enterprise/local business enterprise program. Supervisor Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1016.

Motions:

Referred to Committee

[Ballot Measure, Hotel Tax Surcharge]

Motion ordering submission to the voters of an ordinance approving the continued imposition of a two percent Hotel Tax Surcharge on the rent for occupancy of guest rooms in certain hotels for General Fund purposes by amending Municipal Code, Part III, by adding Section 502.6-2. Supervisors Kaufman, Ammiano presented. Referred to Rules Committee.

File 98-1017.

[Ballot Measure, Stadium Operator Tax]

Motion ordering submission to the voters of an ordinance approving the continued imposition of the Stadium Operator Admission Tax and the Temporary Admission Tax on stadium admissions, authorizing the establishment of a supplemental stadium admission tax upon expiration of the temporary admission tax and making miscellaneous technical corrections to Municipal Code, Part III. Sections 801, 802A, 805, 807 and 841. Supervisor Leno presented. Referred to Rules Committee.

File 98-1018.

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors by adding Section 2.23(A) in order to create a Customer Service Award for employees of the City and County of San Francisco. Supervisor Newsom presented. Referred to Rules Committee.

File 98-1019.

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar June 22, 1998.

File 98-1020.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0939. [Zoning Map Amendment - 500 Raymond Avenue]

Ordinance adopting changes in property use classification as an amendment to the zoning map of the City and County of San Francisco of property located at 500 Raymond Avenue, a portion of Lot 2 in Assessor's Block 6221, from a "P" (Public Use) District to an RH-1 (House, One-Family) District and adopting findings pursuant to Planning Code Section 101.1; companion measure to File 98-0940. (Planning Department) (Planning Department Resolution No. 14606 adopted 3/26/98, approving proposed amendment.) (Final Negative Declaration adopted and issued 3/18/98.) Referred to Housing and Neighborhood Services Committee.

File 98-0943. [Appropriation/Settlement of Lawsuit, PUC] Ordinance appropriating \$2,300,000, Public Utilities Commission-Water Department, from Water Department fund balance to claims and judgments for fiscal year 1997-98 and authorizing settlement of litigation of Hefter v. County of San Mateo, et al. by payment of \$2,300,000. RO #97260. (Alameda Superior Court No. 786568). (Controller) Referred to Finance Committee.

File 98-0978. [Appropriation/Settlement of Lawsuit, PUC] Ordinance appropriating \$4,907,500 Public Utilities Commission-Cleanwater, from Clean Water program fund balance to claims and judgments, for fiscal year 1997-98, and authorizing settlement of litigation of Howard and Iran Billman and State Farm General Insurance Company for a total settlement of \$4,907,500. RO #97261. (Superior Court No. 980-740) (Controller) Referred to Finance Committee.

Resolutions Referred to Committee

File 98-0940. [Final Negative Declaration - 500 Raymond Avenue] Resolution adopting Final Negative Declaration, finding and determining that the reclassification of property at 500 Raymond Avenue from a "P" (Public Use) District to an RH-1 (House, One-Family) District, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration; companion measure to File 98-0939. (Planning Department) Referred to Housing and Neighborhood Services Committee.

File 98-0945. [Prop J Contract, Convention Facilities Management] Resolution concurring with Controller's certification that convention facilities management, operation and maintenance services can be practically performed at Bill Graham Civic Auditorium and Moscone Center by private contractor for lower cost than similar work services performed by City and County employees. (City Administrator) Referred to Finance Committee.

File 98-0946. [Parking Regulations] Resolution enacting and rescinding parking regulations at various locations. DPT Order No. 1508. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 98-0947. [Traffic Regulations] Resolution enacting and rescinding traffic regulations on various streets. DPT Order No. 1508. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 98-0948. [Grant - Federal Funds] Resolution authorizing the Executive Director of the Department of Parking and Traffic to retroactively apply for, accept and expend a grant in Federal funds in the amount of \$440,000 for improving the traffic control system within the 3rd Street/Bayshore Boulevard signal system, within the Alemany Boulevard and San Jose signal system, and within the Upper Market Street signal system. (Department of Parking and Traffic) Referred to Housing and Neighborhood Services Committee.

File 98-0977. [Gift Acceptance - Union Square Renovation, DPW] Resolution authorizing the acceptance of a gift of \$500,000 from the Uptown Parking Corporation to be used to explore the feasibility of renovating Union Square Garage and Plaza. (Department of Parking and Traffic) Referred to Rules Committee.

File 98-0979. [Lease of Property at 626 Potrero Street] Resolution authorizing a lease of real property at 626 Potrero Street, San Francisco for the Police Department's Narcotics and Vice Divisions. (Real Estate Department) Referred to Finance Committee.

File 98-0980. [PIC 1998 Refugee County Plan] Resolution approving the San Francisco Federal Fiscal Year 1998 Refugee County Plan and authorizing the Private Industry Council of San Francisco, Inc. to accept and expend federal refugee funds in an amount not to exceed \$1,500,000 in line with the Refugee County Plan; placing \$1,500,000 on reserve. (Private Industry Council) Referred to Economic Development, Transportation/Technology Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Ammiano, that Clerk of the Board provide the composition, diversity, geographic breakdown on the following ten task forces: Assessment Appeals Board (15), Building Inspection (3), Comprehensive Community Policing (11), Graffiti Advisory Board (4 from neighborhoods), Park and Open Space Advisory Committee (23), Telecommunications Policy Committee (9), Veterans Affairs Commission (11), Youth Commission (diversity), Advisory Council to the Commission on Aging (11), and Airport Noise Committee (11).

By Supervisor Ammiano, that letter of inquiry be sent to Bay Area Air Quality Management District requesting information on the availability and cost of natural gas or other alternative-fueled powered ferries, including examples of jurisdictions where these ferries are operating and potential funding sources for the increased capital cost of such ferries (if any) and potential funding sources for the cost of building natural gas or other alternative fuel fueling stations.

By Supervisor Ammiano, that letter of inquiry be sent to the Honorable Port Commission requesting the following information: a) list of ferry companies and/or jurisdictions that currently dock ferries in San Francisco, number of ferries each company/jurisdiction docks and any projected increased in this number; b) summary of current and proposed locations where ferries can dock, including who own/rent or will own/rent each location; and c) preliminary analysis of the feasibility of equipping one or more docking facilities on Port property with natural gas or other alternative fueling capacity.

By Supervisor Bierman, that City Attorney draft Owner Move-In Reform and Senior Housing Protection Act legislation that is in substantial conformance with legislation containing in File 109-96-2.

By Supervisor Bierman, that letter be sent to all departments informing them pursuant to passage of Proposition L (pending certification of the June election) each department should now notify the Board of Supervisors of any requests made by the Presidio Trust for City funds or services. File 98-1015.

By Supervisor Bierman, that letter of inquiry be sent to Director of Public Health to determine the implications of the Mental Health budget for fiscal year 1998-99 specifically regarding the status and implementation of a single standard of care for patients with mental illness.

By Supervisor Newsom, that letter be sent to each department requesting review and report, by August 31, 1998, on the feasibility of adjusting their department's hours to more efficiently accommodate the public.

By Supervisor Teng, that letters be sent to Department of Public Health, Department of Human Services, Department of Public Works, San Francisco Police Department, Mayor's Office on Homelessness and Recreation and Park Department concerning the proliferation of homelessness in the Sunset District and requesting a report back within 30 days on their input and suggestions on how best to address the rising level of neighborhood specific concerns surrounding homelessness in the Sunset. The Department of Human Services and Department of Public Health are requesting to meet with neighbors and merchants in the area to discuss the current status of case workers and the potential of assigning a case worker to include the Sunset as part of their case loads.

By Supervisor Yaki, that City Attorney draft legislation to implement Proposition J (Golden Gate Park Revitalization Act) which was passed by the voters on June 2, 1998.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Doctor Sam Miller (Supervisor Kaufman)
Rita Cichocki (Supervisor Bierman)
Ben Louie (Supervisor Yee)

Unanimously adopted by a rising vote.

Monday, June 15, 1998

ADJOURNMENT

There being no further business, the Board at the hour of 3:21 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 17, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, June 22, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 22 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Amiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Quorum present.

COMMUNICATION

The Clerk presented a communication from Director of Elections forwarding the Statement of Votes cast and the resolution certifying the results of the June 2, 1998 election. The resolution was then referred to the For Adoption Without Committee Reference agenda of June 29, 1998.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[MOU, Local 856]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Teamsters Local 856 and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0838, Ordinance No. 209-98

(Fiscal Impact.)

Finally passed.

[MOU, Local 350]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Teamsters Local 350 and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0839, Ordinance No. 210-98

Finally passed.

[MOU, Municipal Attorneys Association (MAA)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Municipal Attorneys Association and the City and County to be effective July 1, 1998 through June 30, 2001. (Mayor Willie L. Brown, Jr.)

File 98-0886, Ordinance No. 213-98

(Fiscal Impact.)

Finally passed.

[MOU, Local 200 (S.E.A.M.)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Transport Workers Union, Local 200 (S.E.A.M.) and the City and County to be effective for the period July 1, 1998 through June 30, 2001. (Supervisor Teng)

File 98-0892, Ordinance No. 214-98

(Fiscal Impact.)

Finally passed.

[MOU, Local 250-A (7410 Automotive Service Worker)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Transport Workers Union, Local 250-A (7410 Automotive Service Worker) and the City and County to be effective July 1, 1998 through June 30, 2001. (Supervisor Teng)

File 98-0893, Ordinance No. 215-98

(Fiscal Impact.)

Finally passed.

[MOU, Local 250-A (Multi-Unit)]

Ordinance implementing the provisions of a mediated settlement agreement for a Memorandum of Understanding between the Transport Workers Union, Local 250-A (Multi-Unit) and the City and County to be effective for the period July 1, 1998 through June 30, 2001. (Supervisor Teng)

File 98-0894, Ordinance No. 216-98

(Fiscal Impact.)

Finally passed.

[MOU, Local 216]

Ordinance implementing the provisions of an arbitration award for a Memorandum of Understanding between the Building Material and Construction Teamsters, Local 216 and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0925, Ordinance No. 217-98

Finally passed.

[MOU, Local 39]

Ordinance implementing the provisions of a mediated settlement for a Memorandum of Understanding between the International Union of Operating Engineers Stationary Engineers, Local 39 and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0926, Ordinance No. 218-98

Finally passed.

[MOU, MEA-Bargaining Units M, EM, MSA]

Ordinance implementing the provisions of an agreement of a Memorandum of Understanding between the Municipal Executives Association (for Bargaining Units M, EM, and MSA) and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0928, Ordinance No. 220-98

Finally passed.

[Amendment to MOU, MEA-Bargaining Unit MSA]

Ordinance implementing the provisions of an amendment to the Memorandum of Understanding between the City and County and the Municipal Executives Association for the period July 1, 1997 through June 30, 1998 to add the Management Special Assistant Bargaining Unit ("MSA") under specified conditions. (Department of Human Resources)

File 98-0931, Ordinance No. 221-98

Finally passed.

Recommendation of Housing and Neighborhood Services Committee

Finally Passed

[Sidewalk Width Regulations, Day Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1537 changing the official sidewalk width on the south side of Day Street west of Church Street, as shown on the revised Department of Public Works drawing labeled Q-20-451 (change 1) and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 34-97-2, Ordinance No. 223-98

Finally passed.

Recommendations of Rules Committee

Finally Passed

[Schiefer v. CCSF, et al]

Ordinance authorizing settlement of litigation of Catherine M. Schiefer v. City and County, et al., by payment of \$60,000, (City Attorney)

File 98-0843, Ordinance No. 224-98

(Superior Court No. 986-705.)

Finally passed.

[Patrick Wong, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Patrick Wong against the City and County by payment of \$45,000. (City Attorney)

File 98-0876, Ordinance No. 225-98

(Superior Court No. 975-085.)

Finally passed.

[Hosea Larue Shaw, Jr. et al., v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Hosea Larue Shaw, Jr., et. al. against the City and County by payment of \$50,000. (City Attorney)

File 98-0877, Ordinance No. 226-98

(Superior Court No. 986-117).

Finally passed.

[CCSF, v. Assessment Appeals Bd.1/Federal Reserve]

Ordinance authorizing settlement of litigation of the City and County's lawsuit against the Assessment Appeals Board Number 1 (the nominal defendant) and the Federal Reserve Bank (the real party in interest), and applications for reduced property tax assessments pending before the Assessment Appeals Board by refunding \$583,924 plus interest on any delay in payment beyond August 15, 1998. (City Attorney)

File 98-0878, Ordinance No. 208-98

Finally passed.

Recommendation of Health, Family and Environment Committee

Adopted

[Grant - State]

Resolution authorizing the Department of Public Health, Division of Public Health, Community Health and Safety, to apply retroactively for a grant in the amount of \$20,500 from the California Integrated Waste Management Board for an Enforcement Assistance Grant and that the Director of Health is authorized to execute all necessary applications, contracts, agreements and amendments relating to this application; waiving indirect costs. (Department of Public Health)

File 98-0879, Resolution No. 507-98

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Interim Annual Appropriation Ordinance, 1998-1999]

Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1999; companion measure to File 98-0853. (Mayor Willie L. Brown, Jr.)

File 98-0852, Ordinance No. 211-98

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Interim Annual Salary Ordinance, 1998-1999]

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1999, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor; companion measure to File 98-0852. (Mayor Willie L. Brown, Jr.)

File 98-0853, Ordinance No. 212-98

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

[Water Rates]

Ordinance approving revised schedule of rates to be charged by the Public Utilities Commission for water service to its suburban resale customers. (Public Utilities Commission)

File 98-0880, Ordinance No. 227-98

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki,
Yee - 11.

NEW BUSINESS

Recommendation of Economic Development, Transportation
and Technology Committee

Adopted

[CalTrain to Airport]

Resolution supporting a direct connection of CalTrain to the San Francisco International Airport via the Airport Rail Transit System that will (1) complement the BART connection from Millbrae and San Bruno, (2) measurably reduce traffic on Route 101, and (3) recognize the ecological sensitivity of the Airport's west of Bayshore property, and encouraging the appropriate agencies to work cooperatively to establish such a direct connection. (Supervisors Bierman, Ammiano, Brown, Katz)

File 98-0344, Resolution No. 504-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Called from Economic Development, Transportation and Technology
Committee by Supervisors Yee, Bierman

Adopted as Amended

[Sutro Tower Dynamic Analysis]

((Resolution directing the Director of the Department of Building Inspection to require Sutro Tower, Inc. to perform a full dynamic analysis of Sutro Tower and report the results to the Board of Supervisors before construction of any additional structures to the tower.)) (Supervisors Bierman, Ammiano, Yee)

Resolution directing the Director of the Department of Building Inspection to direct Sutro Tower, Inc. to perform a full dynamic analysis of Sutro Tower and report the results to the Board of Supervisors in connection with or before the filing of the annual inspection report of February, 1999.

File 98-0678, Resolution No. 505-98

Supervisor Yaki, seconded by Supervisor Katz, moved an amendment of the whole entitled, "Resolution directing the Director of the Department of Building Inspection to direct Sutro Tower, Inc. to perform a full dynamic analysis of Sutro Tower and report the results to the Board of Supervisors in connection with or before the filing of the annual inspection report of February, 1999."

Supervisor Yee, seconded by supervisor Ammiano, moved to continue the matter for one week.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Ammiano, Bierman, Newsom, Yee - 4.

Noes: Supervisors Brown, Katz, Kaufman, Leno, Medina, Teng, Yaki - 7.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor.

Supervisor Kaufman, seconded by Supervisors Brown and Katz, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion refused adoption by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman, Leno, Yee - 4.

..The President resumed the Chair.

Following further discussion, Supervisor Teng, seconded by Supervisors Yaki and Katz, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 8.

Noes: Supervisors Ammiano, Bierman, Yee - 3.

The roll was then called on the pending amendment of the whole and it was adopted by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman, Leno, Yee - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Brown, Katz, Kaufman, Medina, Newsom, Teng, Yaki - 7.

Noes: Supervisors Ammiano, Bierman, Leno, Yee - 4.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing to consider Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1998-1999 pursuant to Public Works Code Articles 4.1 and 4.2.

File 98-0881

(June 8, 1998 - From Planning Department, Certificate of Exemption from Environmental Review dated June 3, 1998, pursuant to State Guidelines, Section 15273; Public Resources Code, Section 21080(b)(8).)

The President inquired if there was anyone present who wished to testify on this matter.

There being no response the President declared the public hearing closed.

From Public Utilities Commission

Passed on First Reading

[Sewer Service Charge, 1998-1999]

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1998-1999 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the Public Works Code.

File 98-0881, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

COMMITTEE REPORT

From Housing and Neighborhood Services Committee

(The following item will be considered by the committee at its regular meeting on Thursday, June 18, 1998 at 10 AM. The Chair intends to request the committee to send the following item to the Board as a committee report.)

Adopted

[Federal Funding - Supportive Housing Program]

Resolution authorizing the Department of Human Services to retroactively, apply for, accept and expend Stewart B. McKinney supportive housing grants in a total amount not to exceed \$11,602,133 over a three year period from the U.S. Department of Housing and Urban Development. (Department of Human Services)

File 98-0884, Resolution No. 508-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

From Finance Committee

Passed on First Reading

[Employee Health Coverage]

Ordinance amending Administrative Code, approving Health Service System plans and rates of contribution as adopted by the Health Service Board to be effective July 1, 1998 through June 30, 1999). (Department of Human Resources/Health Service System)

File 98-0846, Ordinance No.

(Amends Section 16.157.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[MOU, Deputy Sheriff's Association]

Ordinance implementing an arbitration award for a Memorandum of Understanding between the Deputy Sheriff's Association and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0927, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

[MOU, Local 21]

Ordinance implementing an arbitration award for a Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County for the period July 1, 1998 through June 30, 2001. (Supervisor Yee)

File 98-0952, Ordinance No.

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Adopted

[Bonds, California Academy of Sciences]

Resolution determining and declaring that the public interest and necessity demand the acquisition, rehabilitation, renovation, improvement, construction or reconstruction by the City and County of the following municipal improvement to wit: rehabilitation, renovation, improvement, construction and/or reconstruction of the California Academy of Sciences and all other works, property and structures necessary or convenient for the foregoing purposes, that the estimated cost of \$79,880,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53. (Supervisors Yaki, Kaufman)

File 98-0818, Resolution No. 506-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Yaki assumed the Chair so the President could participate in the debate from the floor on the following item.

[City Hall Exemptions From Proposition F]

Resolution complying with Proposition F (City Hall use and occupancy) by exempting certain departments from occupying the same space in City Hall as those departments occupied as of October 17, 1989 and by exempting certain historical exterior and interior appurtenances of City Hall as of October 17, 1989 from being preserved. (Supervisors Kaufman, Teng, Bierman, Katz, Brown, Yaki, Medina, Newsom, Leno)

File 98-1007, Resolution No. 503-98

Supervisor Yee, seconded by Supervisor Ammiano, moved to continue the matter for three weeks.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Ammiano, Yee - 2.

Noes: Supervisors Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 9.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki - 10.

Noes: Supervisor Yee - 1.

[Recreation and Park Fees]

Ordinance amending Park Code, approving fees for the Japanese Tea Garden, Coit Tower, and wedding ceremonies. (Recreation and Park Department)

File 98-0737, Ordinance No.

(Adds Section 11.05 through 11.07.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

John Lyra, Twin Peaks Homeowners Annual Meeting; Derf Butler, NAACP, opposing SB7; Constance Buck, the demise of diversity in San Francisco; Jeffery Auman, Presidio housing; Jesus Gumban, claim against the City; Kamren Meihjeeh, Dolores Park/drugs.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

Closed Session

Conference with City Attorney - Litigation

From the President

Adopted

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code Section 94956.9(a) regarding the following litigation:

Air Transport Association of America v. San Francisco, U.S. District Court No. C97-1763CW (Challenge to Equal Benefits Ordinance).

Supervisor Medina, seconded by Supervisor Newsom, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yaki, Yee - 11.

Recess

The Board recessed at the hour of 4:28 p.m. to convene in closed session.

Reconvening of the Board

The Board reconvened at 5:01 p.m.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Noted absent: Supervisors Kaufman, Teng - 2.

Quorum present.

Report on Closed Session

Adopted

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the pending litigation.

Supervisor Medina, seconded by Supervisor Leno, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Noted absent: Supervisors Kaufman, Teng - 2.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Brown requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[State Legislation, SB 7]

Resolution supporting Senate Bill 7, which regulates early satellite voting locations. (Supervisors Yee, Ammiano)

File 98-1002, Resolution No.

(June 15, 1998 - Introduced in Board for consideration on June 22, 1998.)

At the request of Supervisor Brown, referred to Rules Committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yee requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[National Archives and Records]

Resolution urging the National Archives and Records Administration to retain a California office for housing of Asian American documents and artifacts. (Supervisors Yee, Brown, Katz, Medina, Teng, Ammiano)

File 98-1013, Resolution No.

(June 15, 1998 - Introduced in Board for consideration on June 22, 1998.)

Supervisor Yee, seconded by Supervisor Bierman, moved to amend line 11 by replacing "UT" with Missouri.

Motion to amend adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

In connection with the above item, Supervisors Brown, Katz, Medina, Teng, Ammiano requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend Charles Bolton]

Resolution commending Charles Bolton, Bernal Heights resident, for his decade of service and activism to make Bernal Heights a better, greener, cleaner and safer place. (Supervisors Ammiano, Bierman, Brown, Katz, Leno, Newsom, Teng)

File 98-1000, Resolution No. 509-98

(June 15, 1998 - Introduced in Board for consideration on June 22, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Leno, Newsom, Teng requested to be added as co-sponsors.

[Commend United Parcel Service Volunteers]

Resolution commending United Parcel Service volunteers for their participation in the 1998 California AIDS Ride. (Supervisors Leno, Kaufman, Katz, Bierman, Ammiano, Brown, Medina, Newsom, Teng)

File 98-1001, Resolution No. 510-98

(June 15, 1998 - Introduced in Board for consideration on June 22, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Medina, Newsom, Teng requested to be added as co-sponsors.

[Alternative Fuel Ferries]

Resolution urging the San Francisco Port Commission, the City of Vallejo and other public and private ferry operators to explore the use of ferries powered by natural gas or another alternative fuel for new or existing ferry service. (Supervisors Ammiano, Bierman, Katz, Leno, Medina, Newsom)

File 98-1003, Resolution No. 511-98

(June 15, 1998 - Introduced in Board for consideration on June 22, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Medina, Newsom requested to be added as co-sponsors.

[Hate Crimes]

Resolution condemning hate crimes. (Supervisors Brown, Bierman, Katz, Kaufman, Leno, Medina, Teng, Ammiano)

File 98-1005, Resolution No. 512-98

(June 15, 1998 - Introduced in Board for consideration on June 22, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Kaufman, Leno, Medina, Teng, Ammiano requested to be added as co-sponsors.

[Homeless Youth Working Group]

Resolution calling for the formation of a Homeless Youth Working Group, to be composed of representatives from City departments, private and non-profit service providers, the Youth Commission and members of the Homeless Youth Community, to work in conjunction with the Homeless Coordinating Local Board to develop a strategy to address the unique needs of San Francisco homeless youth. (Supervisors Katz, Bierman, Brown, Leno, Medina, Newsom, Teng, Ammiano)

File 98-1006, Resolution No. 513-98

(June 15, 1998 - Introduced in Board for consideration on June 22, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Brown, Leno, Medina, Newsom, Teng, Ammiano requested to be added as co-sponsors.

[AIDS and HIV Health Care]

Resolution urging the Health Service Board to ensure that all health care providers who provide care for City employees, retirees and their dependents assure that high quality, comprehensive, affordable and accessible health care is available for persons with HIV by adopting the Insurance Issues Subcommittee Report from the Mayor's Summit on AIDS and HIV and the report's recommendations. (Supervisors Leno, Ammiano, Katz, Bierman, Brown, Medina, Teng)

File 98-1009, Resolution No. 514-98

(June 15, 1998 - Introduced in Board for consideration on June 22, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Medina, Teng requested to be added as co-sponsors.

[Multi-use Resources with Schools]

Resolution urging the Recreation and Park Department, the Department of Parking and Traffic, the Public Utilities Commission and the Real Estate Department to collaborate with the San Francisco Unified School District in developing a plan for multi-use of resources. (Supervisors Newsom, Brown, Katz, Leno, Medina, Teng, Ammiano)

File 98-1011, Resolution No. 515-98

(June 15, 1998 - Introduced in Board for consideration on June 22, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Katz, Leno, Medina, Teng, Ammiano requested to be added as co-sponsors.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno)

File 98-1020, Motion No. M98-82

(June 15, 1998 - Introduced in Board for consideration on June 22, 1998.)

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Director of Public Works to accept and expend \$36,247,917 in Federal Emergency Relief (ER) funds for the construction of the Mid-Embarcadero roadway and surface street improvements. (Supervisors Yaki, Bierman, Ammiano)

File 98-1025, Resolution No. 517-98

(June 17, 1998 - Referred to Board for consideration on June 22, 1998.)

Adopted.

In connection with the above item, Supervisors Bierman, Ammiano requested to be added as co-sponsors.

[Final Map, 1099 Mississippi Street]

Motion approving final map of 1099 Mississippi Street, a Live/Work Condominium Project, being a subdivision of Lot 8A in Assessor's Block No. 4224, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-0989, Motion No. M98-81

(June 12, 1998 - Referred to Board for consideration on June 22, 1998.)

Adopted.

[Final Map, 755 Tennessee Street]

Motion approving final map of 755 Tennessee Street, a Live/Work Condominium Project, being a subdivision of Lot 16 in Assessor's Block 4044, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-1026, Motion No. M98-83

(June 17, 1998 - Referred to Board for consideration on June 22, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following motions:

Adopted

[Serious Injury Finding]

Motion that the Board finds by roll call vote that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Yee, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

[Purely Commendatory Finding]

Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Yee, seconded by Supervisor Brown, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

[Brown Act Finding]

Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Newsom, seconded by Supervisor Yee, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

[Imperative Resolutions]

Adopted

[Opposing Repeal of Vehicle License Fees]

Resolution urging the California State Legislature to oppose the repeal or reduction of vehicle license fees.

File 98-1035, Resolution No. 519-98

Supervisors Yaki, Kaufman presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

[Commendation]

Resolution commending the International Chinese Comrades organization for its first U.S. Chinese Tongzhi Conference.

File 98-1034, Resolution No. 518-98

Supervisors Yee, Bierman, Ammiano presented for immediate adoption.

Resolution adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Newsom, Yaki, Yee - 9.

Absent: Supervisors Kaufman, Teng - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Notice of Planning Department Action]

Ordinance amending Planning Code by amending Section 306.3 to require the Director of Planning to provide to any person who has requested in writing notice of actions to be taken pursuant to this code or State law. Supervisor Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 98-1036.

[Minority/Women/Local Business Utilization Ord. III Ordinance amending Administrative Code by adding Section 120.2-4 and by amending Sections 120.9(A), 120.10(A), 120.11(A), 120.11(A)-(1) and 120.15(G) to set forth findings supporting a two month extension of the MBE/WBE/LBE Ordinance-III and providing for the two month extension. Supervisor Brown presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1037.

[Excavation in the Public Right-of-Way]

Ordinance amending Public Works Code by repealing Article 8 (Excavations in Streets), repealing Sections 672 and 673 of Article 14 (Underground Pipes, Wires and Conduits), and adding Article 2.4 (Excavation in the Public Right-of-Way) including Section 2.4.44 to impose a new street damage restoration fee; authorizing establishment of the Street Construction Coordination Center and requesting other official actions in connection therewith; making findings for these amendments; and amending Article XIII of Chapter 10 by adding Section 10.117-119 to create a fund for collection of street damage restoration fees and adding Section 10.117-120 to reestablish the excavation fund for the collection of other deposits, fees, and penalties imposed by Article 2.4. Supervisors Katz, Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1038.

[Paratransit]

Ordinance amending Police Code by adding Section 1147.7 requiring all taxicab color schemes to participate in the City's Paratransit Program. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1039.

[Taxicab Lease Fees]

Ordinance amending Police Code by adding Section 1135.2 setting a cap on taxicab lease fees, authorizing regulations and penalties, and providing effective and expiration dates for the ordinance. Supervisor Newsom presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1040.

[Annual Report on Park Expenditures]

Ordinance amending Administrative Code by adding Section 3.51 requiring the Recreation and Park Department to prepare an Annual Report describing the proposed expenditure at each city park during the next fiscal year. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-1041.

Referred to Board

[Opposing Senate Bill 7]

Resolution opposing Senate Bill 7 which restricts the use of satellite voting locations. Supervisors Brown, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 29, 1998.

File 98-1042.

[Wells Fargo \$1 Billion Loan Program]

Resolution commending Wells Fargo Bank for establishing a \$1 Billion Nationwide Loan Program to aid small African American Businesses. Supervisors Leno, Yaki, Brown, Bierman, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 29, 1998.

File 98-1043.

[Gay Pride Flag]

Resolution recognizing and celebrating the Twentieth Anniversary of the creation of the Lesbian and Gay Pride Rainbow Flag. Supervisors Leno, Katz, Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 29, 1998.

File 98-1044.

[Rally Against Hate Crimes]

Resolution urging San Franciscans to participate in the Lesbian, Gay, Bisexual, Transgender Pride Celebration Anti-Hate Rally on Saturday, June 27, 1998. Supervisors Leno, Katz, Ammiano, Brown, Medina, Newsom, Bierman, Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 29, 1998.

File 98-1045.

[Support a New Facility for Laguna Honda Hospital]

Resolution supporting the work of the Long Term Care Task Force, and the commitment to rebuilding Laguna Honda Hospital. Supervisors Medina, Bierman, Newsom presented. Referred to Health, Family and Environment Committee.

File 98-1046.

[Public Hearing Approval]

Resolution authorizing the execution and delivery of equipment purchase program notes by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$500,000 for Niman-McConnell LLC or an affiliate. Supervisor Teng presented. Referred to Board for Adoption Without Committee Reference Calendar June 29, 1998.

File 98-1047.

Referred to Committee

[Capital Expenditure Plan]

Resolution requiring the Board of Supervisors to fund and institutionalize a Six-Year Plan for Capital Expenditures, calling for Board oversight of the Six-Year Plan, and calling for a Citizens Advisory Committee to allow increased public input to the City and County's capital expenditure planning process. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-1048.

Referred to Board

[Federal Grant]

Resolution authorizing the Director of Administrative Services to apply for grant support from the Transportation Fund for Clean Air in the Bay Area for programs and projects to reduce air pollution from motor vehicles. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 29, 1998.

File 98-1049.

Referred to Committee

[Allocating Domestic Partnership Filing Fees]

Resolution urging San Francisco's County Clerk's Office to set aside Domestic Partnership filing fees for same sex domestic violence programs, to be consistent with filing fees for marriage registration. Supervisor Ammiano presented. Referred to Finance Committee.

File 98-1050.

Referred to Board

[Commending Friends of the Pink Triangle]

Resolution commending the Friends of the Pink Triangle for continued support and activism in San Francisco's Lesbian and Gay Pride Freedom Day Celebration. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 29, 1998.

File 98-1051.

Referred to Committee

[Use City Owned Stock For Social Change]

Resolution urging the City's Retirement Board and the Board of Supervisor's representative to utilize city owned shares of stock to introduce social change at corporations, so that there is compliance with San Francisco's Human Rights Ordinance. Supervisor Ammiano presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1052.

Referred to Board

[UCSF Protocol for HIV Organ Transplants]

Resolution urging the University of California at San Francisco to be consistent with their policy regarding organ transplants for patients with HIV. Supervisor Ammiano presented. Referred to Board for Adoption Without Committee Reference Calendar June 29, 1998.

File 98-1053.

[Election Declaration]

Resolution declaring the results of the Consolidated Primary Election conducted June 2, 1998, in the City and County of San Francisco. Clerk of the Board presented. Referred to Board for Adoption Without Committee Reference Calendar June 29, 1998.

File 98-1054.

Requests for Hearings:

[Hearing on Status of Stadium-Mall]

Hearing to consider the status of the proposed stadium-mall project to be built at Candlestick Point. Supervisor Brown presented. Referred to Parks and Recreation Committee.

File 98-1055.

[Criminal Activities in Dolores Park]

Hearing to examine the criminal activities threatening neighbors and visitors within Dolores Park, to realistically gauge the extent of criminal problems within the park, and to develop a methodical plan of action for alleviating the problem. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-1056.

[National Park Service Signage Policy, Ocean Beach]

Hearing to consider the National Park Service current signage policy at Ocean Beach. Supervisor Newsom presented. Referred to Parks and Recreation Committee.

File 98-1057.

[Visitacion Valley]

Hearing to consider an update on the quality of life in Visitacion Valley specifically concerning community policing, economic development, child care, open space, and street cleaning. Supervisor Teng presented. Referred to Housing and Neighborhood Services Committee.

File 98-1058.

[Haight-Ashbury]

Hearing to consider quality of life issues in the Haight-Ashbury neighborhood. Supervisors Yee, Bierman presented. Referred to Housing and Neighborhood Services Committee.

File 98-1059.

[Gathering Signatures in Public Right-Of-Way]

Hearing to consider the ability of individuals who are gathering signatures for the purpose of placing voter initiatives on upcoming ballots to gather these signatures in the public right-of-way. Supervisor Yee presented. Referred to Rules Committee.

File 98-1060.

Motions:

Referred to Board

[Winter Storm Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. Supervisors Kaufman, Ammiano, Katz, Bierman, Medina, Leno, Newsom presented. Referred to Board for Adoption Without Committee Reference Calendar June 29, 1998.

File 98-1061.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-0990. [Settlement Agreement, Lynne Beeson] Ordinance authorizing settlement of the claim for wages of Lynne Beeson in the amount of Thirty Thousand Three Hundred Fifty-Three Dollars and Thirty Cents (\$30,353.30). (Department of Human Resources) Referred to Rules Committee.

File 98-1021. [Taxi Driver Permits - Drug and Alcohol Testing] Ordinance amending Police Code by amending Section 1089, requiring that, consistent with State law, taxicab drivers test negative for controlled substances as a condition of issuance of a taxicab driver permit and test negative for controlled substances and for alcohol as a condition of renewal of their taxicab driver permit. (Police Commission) Referred to Housing and Neighborhood Services Committee.

File 98-1028. [Department of Public Health Membership] Ordinance amending Administrative Code by amending Section 16.6-10, adding certain organizations to the membership list of the Department of Public Health. (Department of Public Health) Referred to Rules Committee.

Resolutions Referred to Committee

File 98-0986. [Lease of Property at 650 Fifth Street] Resolution authorizing a lease of real property at 650 Fifth Street, San Francisco, for the Department of Public Health. (Real Estate Department) Referred to Finance Committee.

File 98-0987. [Encroachment Permit, 2290 Geary Boulevard] Resolution granting revocable permission to M.A. Mortenson Company for a one-year extension to temporarily close and occupy the south sidewalk and a portion of the street area on Garden Street and the east sidewalk and a portion of the street area on Broderick Street between Geary Boulevard and Garden Street and between Garden Street and Post Street during construction operations for the Kaiser Foundation Health Plan Medical Offices at 2290 Geary Boulevard. (Department of Public Works) Referred to Economic Development, Transportation and Technology Committee.

File 98-0988. [Gift Acceptance, Airport] Resolution accepting a gift from Fong and Chan Architects for architectural services (valued at \$260,000) for the design of the Aviation Library, Archive, and Museum at the Airport. (Airport Commission) Referred to Rules Committee.

File 98-1022. [Lease of Property, City of Santa Clara] Resolution authorizing an assignment, assumption and amendment of a 40-year lease of Public Utilities land located in the City of Santa Clara for parking and landscaping from Larvan Properties, Assignor, to MELP VII, Assignee. (Public Utilities Commission) Referred to Finance Committee.

File 98-1027. [Statute of Limitations] Resolution approving the waiver of the applicable statute of limitations in Penske Truck Leasing Co., Inc. v. City and County of San Francisco. (San Francisco Municipal Court No. 146-915). (City Attorney) Referred to Rules Committee.

File 98-1029. [Hospital Provider Services Agreement] Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Public Health to execute amendments, for the provision of hospital services to the members of the San Francisco Health Plan effective July 1, 1998. (Department of Public Health) Referred to Health, Family and Environment Committee.

File 98-1030. [Hospital Provider Services Agreement] Resolution authorizing the Director of Public Health to execute an agreement, including indemnification, binding arbitration, and limited authority for the Director of Public Health to execute amendments, for the provision of hospital services to the members of Foundation Health Services effective July 1, 1998. (Department of Public Health) Referred to Health, Family and Environment Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Katz, that the City Attorney draft legislation extending the interim zoning controls in the Mid-Mission Alcoholic Beverage Special Use District for an additional six (6) month period and directing the Planning Department to complete its study of the impacts of these interim zoning controls. (See Resolution No. 592-97).

By Supervisors Leno, Bierman that the Budget Analyst conduct a sample survey of City contracted employees who are low income to determine the percentage of those workers who would be eligible for the federal earned income tax credit and that the Budget Analyst compare the result of the aforementioned result to the percentage of city contracted employees who are eligible for the earned income tax credit and actually avail themselves of the credit.

By Supervisor Newsom, that letter be sent to the Director of the Department of Public Works inquiring as to the costs that would be associated with the installation of signs on city streets at the major access sites to Ocean Beach warning of the dangers of the water at Ocean Beach for a response from the Department at a hearing before the Parks and Recreation Committee.

By Supervisor Teng, that letter be sent to the City Council in Jasper, Texas expressing the City of San Francisco's solidarity with them and the family of James Byrd, Jr. in denouncing the malicious murder, an act of hate crime, which took place there a few weeks ago. The residents of San Francisco recognize the importance of condemning all hate crimes and of fostering diversity, and building race relations and stand with the residents of Jasper in condemning this savage crime. A copy of the "Hate Crime" resolution is to be enclosed.

By Supervisor Teng, that letter be sent to the family of James Byrd, Jr. expressing the Board's condolences and outrage at this crime.

By Supervisor Yee, that the City Attorney draft legislation imposing an 18-month interim zoning control on new off-sale liquor establishments in the North of Market Special Use District.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

Susan Yoachum (By the entire Board).

Unanimously adopted by a rising vote.

Monday, June 22, 1998

ADJOURNMENT

There being no further business, the Board at the hour of 5:05 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 24, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, June 29, 1998

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 29, 1998 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Barbara Kaufman presiding.

CALLING THE ROLL

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Noted absent at first roll call:

Supervisors Katz, Yaki - 2.

Quorum present.

Supervisor Katz was noted present at 2:03 p.m.

Supervisor Yaki excused. (See infra.)

Supervisor Yaki Excused

The Clerk stated Supervisor Yaki requested to be excused from attending today's meeting and the meetings of July 6 and 13, 1998.

Supervisor Teng, seconded by Supervisor Medina, moved to excuse Supervisor Yaki from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Absent: Supervisors Katz, Yaki - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Teng, seconded by Supervisor Medina, moved that the Journal of Proceedings for Monday, May 4, 1998, be approved.

Motion carried by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

CONSENT CALENDAR

Recommendations of Finance Committee

[Recreation and Park Fees]
Ordinance amending Park Code, approving fees for the Japanese Tea Garden, Coit Tower, and wedding ceremonies. (Recreation and Park Department)

File 98-0737, Ordinance No. 228-98

(Adds Section 11.05 through 11.07.)

Finally passed.

[Employee Health Coverage]

Ordinance amending Administrative Code, approving Health Service System plans and rates of contribution as adopted by the Health Service Board to be effective July 1, 1998 through June 30, 1999). (Department of Human Resources/Health Service System)

File 98-0846, Ordinance No. 229-98

(Amends Section 16.157.)

Finally passed.

[MOU, Deputy Sheriff's Association]

Ordinance implementing an arbitration award for a Memorandum of Understanding between the Deputy Sheriff's Association and the City and County to be effective July 1, 1998 through June 30, 2001. (Department of Human Resources)

File 98-0927, Ordinance No. 219-98

Finally passed.

[MOU, Local 21]

Ordinance implementing an arbitration award for a Memorandum of Understanding between the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21 and the City and County for the period July 1, 1998 through June 30, 2001. (Supervisor Yee)

File 98-0952, Ordinance No. 222-98

Finally passed.

Recommendations of Rules Committee

Passed on First Reading

[Luz-Mary Harris, v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Luz-Mary Harris against the City and County by payment of \$100,000. (City Attorney)

File 98-0932, Ordinance No.

(United States District Court No. C97-3379 CW.)

Passed on first reading.

[Susan Brown, et al. v. CCSF, et al.]

Ordinance authorizing settlement of litigation of Susan Brown and Shannon Murphy, by and through Guardian ad Litem, Susan Brown against the City and County by payment \$79,000. (City Attorney)

File 98-0933, Ordinance No.

(Superior Court No. 982-030.)

Passed on first reading.

Adopted

[Appointment]

Resolution appointing member to the Park and Open Space Advisory Committee, for unexpired portion of two year term ending July 15, 1999. (Rules Committee)

File 98-0628, Resolution No. 520-98

(Carolene Marks, succeeding Carol Lane, Seat No. 23314, resigned.)

Adopted.

[Appointment]

Resolution appointing member to the Advisory Dogs Off-Leash Task Force, term to expire on October 28, 1998. (Rules Committee)

File 98-1064, Resolution No. 534-98

(Wendy McClure, Seat No. 3, SF DOG.)

Adopted.

[Appointment]

Resolution nominating member to the Citizens Advisory Committee on Elections for appointment by the Mayor, for new four year term ending May 15, 2002. (Rules Committee)

File 98-1065, Resolution No. 535-98

(Anne Politeo, succeeding Martha Knutzen, Seat No. 30103, term expired.)

Adopted.

Recommendations of Housing and Neighborhood Services Committee

Passed on First Reading

[Sidewalk Width Regulations]

Ordinance amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks" by adding thereto Section 1542 to change the official sidewalk width of a portion of: a) Ninth Street between Brannan and Division Streets and b) Division Street between Brannan and Ninth Streets, as shown on the Department of Public Works drawing labeled Q-20-482, making findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk width regulations. (Department of Public Works)

File 98-0885, Ordinance No.

Passed on first reading.

[Sidewalk Width Regulations]

Ordinance amending Ordinance No. 1061 entitled, "Regulating the Width of Sidewalks" by adding thereto Section 1541 to change the official sidewalk width at the southwesterly corner of Bryant and Delancey Streets, as shown on the Department of Public Works drawing labeled Q-20-483, making findings pursuant to the General Plan and Planning Code Section 101.1 and requiring relocation, modification, or both of facilities affected by the sidewalk and width changes. (Department of Public Works)

File 98-0887, Ordinance No.

Passed on first reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Public Utilities Commission

Finally Passed

[Sewer Service Charge, 1998-1999]

Ordinance adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1998-1999 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the Public Works Code.

File 98-0881, Ordinance No. 230-98

Finally passed by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

NEW BUSINESS

Recommendations of Audit Committee

Adopted

[Annual Audit]

Resolution ordering an annual audit of the Controller's books. (Supervisors Kaufman, Teng)

File 98-0900, Resolution No. 524-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Annual Audit]

Resolution approving the selection of an independent auditor for the Public Transportation Commission and the Public Utilities Commission and authorizing a three year contract with a consortium of accounting firms. (Supervisors Kaufman, Teng)

File 98-0901, Resolution No. 525-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

Recommendations of Rules Committee

Consideration Continued

(Pursuant to the provisions of Rule 2.33.7 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Consideration Continued

[Charter Amendment, Customer Service Plan]

Charter amendment (First Draft) adding Section 16.120 to require each department of the City and County to adopt a Customer Service Plan. (Supervisor Newsom)

File 98-0825

Supervisor Teng, seconded by Supervisor Brown, moved to continue consideration to July 6, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Consideration Continued as Amended

[Charter Amendment, Taxi Commission]

Charter amendment ((Second))~~Third~~ Draft) adding Section 4.133 creating a Taxi Commission to succeed to the powers and responsibilities relating to motor vehicles for hire now vested in the Police Commission and Police Department, and providing for recovery of costs. (Supervisor Newsom)

File 98-0826

Supervisor Newsom, seconded by Supervisor Leno, moved an amendment of the whole bearing same title (Third Draft).

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Supervisor Teng, seconded by Supervisor Brown, moved to continue consideration as amended to July 6, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Consideration Continued

[Charter Amendment, Police Officer Retirement]

Charter amendment (Second Draft) amending Appendix A8.559 and A8.586 relating to retirement benefits for police officers (to upgrade the Tier II retirement benefits for police officers and to cap the amount of POST pay that can be included in pension calculations). (Supervisors Kaufman, Newsom, Teng)

File 98-0827

Supervisor Teng, seconded by Supervisor Brown, moved to continue consideration to July 6, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Charter Amendment, Firefighter Retirement]

Charter amendment (Second Draft) amending Appendix A8.588 relating to retirement benefits for uniformed members of the Fire Department who were previously paramedics. (Supervisor Medina)

File 98-0828

Supervisor Teng, seconded by Supervisor Brown, moved to continue consideration to July 6, 1998.

Motion to continue adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Passed on First Reading

[Supervisors Ballot Arguments]

Ordinance amending Elections Code, to provide that when an argument is submitted by the Board of Supervisors for publication in the voter information pamphlet, the Clerk of the Board of Supervisors shall forward to the Director of Elections a list of the supervisors who voted for submission of the argument and a list of the supervisors who voted against submission of the argument, and the Director of Elections shall include a statement disclosing the name of each supervisor who voted for and against submission of the argument immediately following the argument in the pamphlet. (Supervisor Kaufman)

File 98-0703, Ordinance No.

(Adds Section 586.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Parking Authority Representation in Organizations]

Ordinance amending Administrative Code, providing for the representation of the City and County in certain organizations. (Department of Parking and Traffic)

File 98-0888, Ordinance No.

(Amends Section 16.6-15.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[DPT Representation in Organizations]

Ordinance amending Administrative Code, providing for the representation of the City and County in certain organizations. (Department of Parking and Traffic)

File 98-0889, Ordinance No.

(Adds Section 16.6-61.)

Passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Adopted

[Appointment]

Resolution appointing Supervisor Leslie Katz to the Association of Bay Area Governments Executive Board, for new two year term ending June 30, 2000. (Rules Committee)

File 98-0941, Resolution No. 527-98

(Supervisor Katz, succeeding Paul Horcher, Seat No. 10305, alternating appointment by Mayor/Board, term expiring June 30, 1998.)

Supervisor Katz Excused from Voting

The Clerk announced that Supervisor Katz requested to be excused from voting because of a possible conflict of interest.

Supervisor Teng, seconded by Supervisor Newsom, moved to excuse Supervisor Katz from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Kaufman, Leno, Medina, Newsom, Teng, Yee - 9.

Excused: Supervisor Katz - 1.

Absent: Supervisor Yaki - 1.

Recommendations of Housing and Neighborhood Services Committee

Passed on First Reading as Amended

[Permit Regulations, Horse-Drawn Vehicle Companies]

Ordinance amending the Police Code, providing regulations for the operation of horse-drawn vehicle companies and horse-drawn vehicle drivers. (Police Commission)

File 98-0795, Ordinance No.

(Adds Section 500 through 509.)

Supervisor Medina, seconded by Supervisor Leno, moved to amend page 14, line 20, by inserting the following: "Section 507.a The Board of Supervisors calls on the Department of Animal Care and Control to conduct semi-annual random visits to all horses engaged in the operation of horse-drawn vehicles, and to field inquiries from the public regarding the treatment of such horses."

Motion to amend adopted by the following vote:

Monday, June 29, 1998

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Passed on first reading as amended by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

Passed on First Reading

(Supervisor Yee was excused from voting in Committee.)

[Moratorium, Owner Move-In]

Ordinance amending the Administrative Code, to provide procedures to qualify senior, disabled and catastrophically ill tenants for protection from eviction during the temporary moratorium of evictions for owner/relative move-ins; and making clarifying and technical changes. (Supervisors Ammiano, Bierman)

File 98-0805, Ordinance No.

(Amends Section 39.7(g).

Supervisors Kaufman, Newsom, Yee Excused from Voting

Supervisors Kaufman, Newsom and Yee requested to be excused from voting because of possible conflict of interest.

Supervisor Ammiano, seconded by Supervisor Medina, moved to excuse Supervisors Kaufman, Newsom and Yee from voting.

Motion to excuse Supervisors Kaufman, Newsom and Yee from voting was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

The roll was then called on the pending ordinance and it was passed on first reading by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng - 7.

Absent: Supervisor Yaki - 1.

Excused: Supervisors Kaufman, Newsom, Yee - 3.

Adopted

[Liquor License Transfer, 4004 Mission Street]

Resolution opposing the request for transfer of a Type 21 off-sale general alcoholic beverage control license to Indra Shrtesha for Everest's Market from 3216 Mission Street to 4004 Mission Street, and determining that it will not serve the public convenience and necessity of the people of the City and County, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0649, Resolution No. 521-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

[Interim Zoning Control-Haight Street]

Resolution renewing interim zoning controls for an additional six (6) month period to prohibit temporarily the introduction of new establishments or expansion of existing establishments selling alcoholic beverages in the Haight Street Neighborhood Commercial District, as defined in Planning Code Section 719.1 or within one quarter (1/4) mile of any boundary of this district and making a finding of consistency with the priority policies of Planning Code Section 101.1. (Supervisors Bierman, Teng)

File 98-0720, Resolution No. 522-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

In connection with the above item, Supervisor Teng requested to be added as co-sponsor.

[Liquor License, 111 Minna Street]

Resolution determining that the issuance of a Type 48 on-sale general-public premises alcoholic beverage control license to Eiming Jung, dba Minna Street Gallery located at 111 Minna Street, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code. (Housing and Neighborhood Services Committee)

File 98-0840, Resolution No. 523-98

Adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Eula Walters, oppose building on Lots 202 and 203;
Frederick Hobson, Embarcadero music concourse, horses, trees;
Male speaker, family unification;
Robert Pender, owner move in November ballot measure;
Daniel Piesta, Queer nation creator;
Camille, psychiatric depression mental health clinic for youth;
Eve Gerber, oppose owner move in rent control.

There being no one else wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Yee requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Opposing Senate Bill 7]

Resolution opposing Senate Bill 7 which restricts the use of satellite voting locations. (Supervisors Brown, Bierman, Katz, Leno, Teng)

File 98-1042, Resolution No.

(June 22, 1998 - Introduced in Board for consideration on June 29, 1998.)

At the request of Supervisor Yee, referred to Rules Committee.

In connection with the above item, Supervisors Katz, Leno, Teng requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Leno requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Wells Fargo \$1 Billion Loan Program]

Resolution commending Wells Fargo Bank for establishing a \$1 Billion Nationwide Loan Program to aid small African American Businesses. (Supervisors Leno, Yaki, Brown, Bierman, Newsom, Katz, Teng)

File 98-1043, Resolution No.

(June 22, 1998 - Introduced in Board for consideration on June 29, 1998.)

Supervisor Leno, seconded by Supervisor Yee, moved to table.

Tabled by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

In connection with the above item, Supervisors Katz, Teng requested to be added as co-sponsors.

Severed From For Adoption Without Committee Reference Calendar

Supervisor Newsom requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Public Hearing Approval]

Resolution authorizing the execution and delivery of equipment purchase program notes by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$500,000 for Niman-McConnell LLC or an affiliate. (Supervisor Teng)

File 98-1047, Resolution No. 530-98

(June 22, 1998 - Introduced in Board for consideration on June 29, 1998.)

Supervisor Newsom Excused from Voting

Supervisor Newsom requested to be excused from voting because of possible conflict of interest.

Supervisor Teng, seconded by Supervisor Medina, moved to excuse Supervisor Newsom from voting.

Motion adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Teng, Yee - 9.

Excused: Supervisor Newsom - 1.

Absent: Supervisor Yaki - 1.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Gay Pride Flag]

Resolution recognizing and celebrating the Twentieth Anniversary of the creation of the Lesbian and Gay Pride Rainbow Flag. (Supervisors Leno, Katz, Ammiano, Brown, Newsom, Teng)

File 98-1044, Resolution No. 528-98

(June 22, 1998 - Introduced in Board for consideration on June 29, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Newsom, Teng requested to be added as co-sponsors.

[Rally Against Hate Crimes]

Resolution urging San Franciscans to participate in the Lesbian, Gay, Bisexual, Transgender Pride Celebration Anti-Hate Rally on Saturday, June 27, 1998. (Supervisors Leno, Katz, Ammiano, Brown, Medina, Newsom, Bierman, Teng)

File 98-1045, Resolution No. 529-98

(June 22, 1998 - Introduced in Board for consideration on June 29, 1998.)

Adopted.

[Federal Grant]

Resolution authorizing the Director of Administrative Services to apply for grant support from the Transportation Fund for Clean Air in the Bay Area for programs and projects to reduce air pollution from motor vehicles. (Supervisors Ammiano, Katz, Leno, Newsom, Bierman)

File 98-1049, Resolution No. 531-98

(June 22, 1998 - Introduced in Board for consideration on June 29, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Newsom, Bierman requested to be added as co-sponsors.

[Commending Friends of the Pink Triangle]

Resolution commending the Friends of the Pink Triangle for continued support and activism in San Francisco's Lesbian and Gay Pride Freedom Day Celebration. (Supervisors Ammiano, Katz, Leno, Newsom, Teng, Bierman)

File 98-1051, Resolution No. 532-98

(June 22, 1998 - Introduced in Board for consideration on June 29, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Newsom, Teng, Bierman requested to be added as co-sponsors.

[UCSF Protocol for HIV Organ Transplants]

Resolution urging the University of California at San Francisco to be consistent with their policy regarding organ transplants for patients with HIV. (Supervisors Ammiano, Katz, Leno, Bierman)

File 98-1053, Resolution No. 533-98

(June 22, 1998 - Introduced in Board for consideration on June 29, 1998.)

Adopted.

In connection with the above item, Supervisors Katz, Leno, Bierman requested to be added as co-sponsors.

[Election Declaration]

Resolution declaring the results of the Consolidated Primary Election conducted June 2, 1998, in the City and County of San Francisco. (Clerk of the Board)

File 98-1054, Resolution No. 502-98

(June 22, 1998 - Introduced in Board for consideration on June 29, 1998.)

Adopted.

[Winter Storm Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the 1998 winter storms. (Supervisors Kaufman, Ammiano, Katz, Bierman, Medina, Leno, Newsom, Brown, Teng)

File 98-1061, Motion No. M98-85

(June 22, 1998 - Introduced in Board for consideration on June 29, 1998.)

Adopted.

In connection with the above item, Supervisors Brown, Teng requested to be added as co-sponsors.

[Final Map]

Motion approving final map of 635 Tennessee Street, a Live/Work Condominium Project, being a subdivision of Lot 19 in Assessor's Block No. 3995, and adopting findings pursuant to Planning Code Section 101.1. (Department of Public Works)

File 98-1032, Motion No. M98-84

(June 22, 1998 - Referred to Board for consideration on June 29, 1998.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Medina, Newsom, Teng, Yee - 10.

Absent: Supervisor Yaki - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Bicycle Transit Enhancement Plan]

Substitute ordinance amending Traffic Code by adding Article 5B, Section 110 to protect the integrity of existing bicycle facilities and Section 38N to prohibit parking in bicycle lanes, by amending Section 3.14 to conform to the State Vehicle Code definition of bicycle and Section 4 to conform to State Vehicle Code provisions regarding the rights and duties of bicycle riders; amending Administrative Code by adding Section 2.76 to authorize monitored bicycle parking at large public events; amending Planning Code Section 155.1 to clarify definition and obligations of responsible City official and landlord and deleting obsolete implementation schedule provisions, by adding Section 155.2 to require bicycle parking in city-owned parking facilities and privately-owned parking garages and Section 155.3 to require shower and locker facilities in new buildings and buildings undergoing major renovations, and by making findings of consistency with the priority policies of Planning Code Section 101.1; and repealing Traffic Code Sections 97 and 99. Supervisor Katz presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-0564.

[Roller Skates and Skateboards]

Ordinance amending Traffic Code Section 100 to prohibit the use of coasters, roller skates, skateboards and similar devices on portions of the sidewalk of Terra Vista Avenue and to establish penalties for violation of the section. Supervisor Brown presented. Referred to Housing and Neighborhood Services Committee.

File 98-1084.

[Procurement]

Ordinance amending Administrative Code Section 21.46 to authorize the Purchaser to purchase goods and services under contracts executed by the State of California or the United States of America. Supervisor Katz presented. Referred to Finance Committee.

File 98-1085.

[Public Works]

Ordinance amending Public Works Code Sections 400, 706.33, 706.4 and 706.8 and adding Section 709 to authorize the Director of the Department of Public Works to require and perform remediation on unaccepted public right-of-way and to enforce obligations to pay for such remediation; to delete the Director's authority to undertake emergency remediation of dangerous conditions on a sidewalk without notice, to allow for administrative review of specified determinations of the Director, and to expand the scope of the fund available for repairs and remediation undertaken by the Department of Public Works; and to authorize the Director to issue and enforce emergency orders for the remediation of accepted or unaccepted public right-of-way in conjunction with or separate from other City departments. Supervisor Medina presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1086.

[Awnings]

Draft ordinance amending Planning Code Sections 136 and 606, authorizing marquees, awnings and canopies in residential districts and authorizing such marquees, awnings and canopies to display a business name, logo and address. Supervisor Newsom presented. Referred to Housing and Neighborhood Services Committee.

File 98-1087.

[Flea Market]

Ordinance amending Administrative Code by adding Chapter 98, Sections 98.1 through 98.9, authorizing the City Administrator to establish and regulate a flea market at 100 Alemany Boulevard; charging vendors at the market a fee for the privilege of selling at the market; and ratifying and approving fees collected between June 1996 and the effective date of this ordinance. Supervisor Newsom presented. Referred to Finance Committee.

File 98-1088.

[Bond Special Election, Academy of Sciences]

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 3, 1998, for the purpose of submitting to the voters of the City and County a proposition to incur bonded indebtedness of the City and County in the principal amount of \$79,880,000 for the rehabilitation, renovation, improvement, construction and/or reconstruction of the California Academy of Sciences including funding for improvements to Golden Gate Park in the areas appurtenant to, or which provide access to, the California Academy of Sciences; approving necessary procedures to hold such election; consolidating the special election with the consolidated municipal general election for November 3 1998; and waiving the word limitation on ballot propositions imposed by Elections Code Section 510. Supervisor Yaki presented. Referred to Finance Committee with request it be considered at the July 8, 1998 meeting.

File 98-1089.

Referred to Board

[Lyric's Young, Loud and Proud Conference]

Resolution honoring Lyric for the Third Annual Young, Loud, and Proud Conference. Supervisors Katz, Leno, Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 6, 1998.

File 98-1090.

[Commendation]

Resolution commending the Global Alliance for Preserving the History of World War II in Asia for their outstanding work, and declaring July 5 in remembrance of "The Forgotten Holocaust Day". Supervisors Teng, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 6, 1998.

File 98-1091.

[State Legislation, SB 1887]

Resolution urging the California State Legislature and Governor Pete Wilson to approve Senate Bill 1887 allowing cities and counties to distribute medicinal marijuana. Supervisors Leno, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 6, 1998.

File 98-1092.

Referred to Committee

[Hepatitis C Prevention]

Resolution directing the Department of Public Health to develop a plan of action to expand and coordinate efforts for Hepatitis C prevention, education and testing and to provide a status update to the Board within three months. Supervisor Newsom presented. Referred to Health, Family and Environment Committee.

File 98-1093.

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Referred to Board

[Tobacco Consumption by Youth Report]

Resolution urging the Youth Commission to prepare report detailing a plan to address tobacco use among youth, particularly in light of the recent San Francisco survey on "Bidis" and the Vacaville youth efforts in making middle school and high school anti-smoking presentations. Supervisors Newsom, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 6, 1998.

File 98-1094.

[Youth Suicide]

Resolution urging the San Francisco Youth Commission and the Department of Public Health and their Mental Health Services Division to examine youth suicide and make recommendations to the San Francisco Board of Supervisors as to how to best address the issue. Supervisors Ammiano, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 6, 1998.

File 98-1095.

Referred to Committee

[Music Concourse and Organ Pavilion]

Resolution endorsing the concept of the Mid-Embarcadero Music Concourse and Organ Pavilion and directing the Planning, Recreation and Park, Public Works and other relevant City departments to develop a detailed proposal and identify funding sources. Supervisor Bierman presented. Referred to Parks and Recreation Committee.

File 98-1096.

[Grant - State Funds]

Resolution authorizing the Executive Director of the Port of San Francisco to accept and expend \$86,500 of State funds from the State of California Department of Boating and Waterways for a vessel pumpout facility at the Hyde Street fishing harbor; and forgoing reimbursement of indirect costs; and authorizing the Port of San Francisco to hold the State of California harmless as required in the grant agreement. Supervisor Bierman presented. Referred to Economic Development, Transportation and Technology Committee.

File 98-1097.

Requests for Hearings:

[Mental Health Managed Care]

Hearing to consider implementation of Mental Health Managed Care. Supervisor Bierman presented. Referred to Health, Family and Environment Committee.

File 98-1098.

Motions:

Referred to Board

[Federal Earned Income Tax Credit]

Resolution directing the Board of Supervisors' Budget Analyst to conduct a survey of low-income City contracted employees to determine the percentage of those eligible for the Federal Earned Income Tax Credit and to determine the percentage of low income City contracted employees that take advantage of this tax credit. Supervisor Leno presented. Referred to Board for Adoption Without Committee Reference Calendar July 6, 1998.

File 98-1099.

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Bierman, Teng, Ammiano, Yaki, Kaufman, Katz, Brown, Newsom, Medina, Yee, Leno presented. Referred to Board for Adoption Without Committee Reference Calendar July 6, 1998.

File 98-1100.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 98-1062. [Court Compensation] Ordinance setting schedules of compensation and other economic benefits for fiscal year 1998-1999 for certain classifications of persons employed by the Municipal Court for the City and County of San Francisco. (Municipal Court) Referred to Finance Committee.

File 98-1063. [Membership List] Ordinance amending Administrative Code by adding Section 16.6-62, adding certain organizations to the membership list of the Office of Public Administrator/Public Guardian/County Veterans Service Officer. (Public Administrator/Public Guardian/County Veterans Service Officer) Referred to Rules Committee.

File 98-1070. [Management Agreement, Civic Center Plaza Garage] Ordinance rejecting all bids received for management of the Civic Center Plaza Garage, approving form of Civic Center Plaza Garage management agreement and bid documents for rebid purposes, authorizing and urging the Director of Property to advertise an invitation for bids for management of the Civic Center Plaza Garage using the approved bid documents, and approving new parking rates for the Civic Center Plaza Garage as contained in the approved management agreement. (Real Estate Department) Referred to Economic Development, Transportation Technology.

Resolutions Referred to Committee

File 98-1031. [Sale of Surplus Property - Sunol Aqueduct] Resolution authorizing the sale of Public Utilities Commission surplus real property (approximately 1.47 acres) identified as portion of the Sunol Aqueduct easement located near Fremont, Alameda County, California to Mission Clay Products Company. (Also see File 172-96-5). (Real Estate Department) Referred to Finance Committee.

File 98-1033. [Sale of Surplus Property - Sunol, Alameda County] Resolution authorizing the sale of 11,240 square feet of land of Public Utilities Commission surplus property identified as a portion of Assessor Parcel No. 96-115-6-1 located in Sunol, Alameda County, California to the State of California. (Public Utilities Commission) Referred to Finance Committee.

File 98-1066. [Airport Revenue Bonds] Resolution approving the issuance of up to \$1,400,000,000 aggregate principal amount of San Francisco International Airport Second Series Revenue Refunding Bonds for the purpose of refinancing certain outstanding 1991 Resolution Bonds and Subordinate Bonds of the Airport Commission issued for the purpose of financing or refinancing certain capital improvements at San Francisco International Airport; approving the maximum interest rate thereon; approving the time for Refunding Bonds as ending December 31, 2001; and approving a maximum number of issues and final maturity date of the sale of Refunding Bonds not later than May 1, 2032. (Airport Commission) Referred to Finance Committee.

File 98-1067. [Outreach Newspapers] Resolution designating the Bay View Inc. to be outreach newspaper of the City and County of San Francisco for the African-American community; designating the China Press to be outreach newspaper of the City and County of San Francisco for the Chinese community; and designating the El Latino to be outreach newspaper of the City and County of San Francisco for the Hispanic community commencing _____, for outreach advertising. (Purchasing Department) Referred to Finance Committee.

File 98-1068. [Outreach Newspaper] Resolution designating the San Francisco Bay Times for outreach advertising for the City and County of San Francisco for the Lesbian/Gay/Bisexual community beginning _____, and until such time that a periodical can be designated as the official outreach periodical for the Lesbian/Gay/Bisexual community. (Purchasing Department) Referred to Finance Committee.

File 98-1069. [Emergency Repair Work, PUC-Water Department] Resolution approving the expenditure of funds for emergency work for operational costs, watershed damage, and water treatment costs associated with El Nino storms (estimated at \$1,100,614). (Public Utilities Commission) Referred to Finance Committee.

File 98-1073. [Sale of Surplus City-Owned Property] Resolution confirming sale of surplus City-owned property under the jurisdiction of the Department of Public Works. (Real Estate Department) (Assessor's Block 3807, Lot 12, 7th and Channel Streets; Assessor's Block 5067, Lot 3, San Bruno Avenue near Campbell Avenue.) Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Leno, that letter of inquiry be sent to Director, Department of Telecommunications and Information Services and Director, Department of Public Works concerning the Palace of Fine Arts League proposal regarding the potential installation and utilization of poster art kiosks throughout the City and County of San Francisco to encourage community support for the arts and small businesses, to generate revenue for the Palace of Fine Arts and to provide a city access system.

By Supervisor Medina, that letter be sent to the Controller requesting a supplemental appropriation request be prepared to fund one animal control officer, class 3372, for the express purpose of conducting random, semi-annual checks on horses engaged in the horse drawn carriage industry.

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By Supervisor Yee, that letter of inquiry be sent to General Manager, Municipal Railway, to determine the timeline for replacement of streetcar tracks, the neighborhoods which will be affected, plans to deal with inconvenience of the public such as the process of informing neighbors of the track replacement, how far in advance of the replacement will the neighbors be notified, will community meetings be held in advance of the track replacement, will a contact number be posted so that neighbors have a place to call to ask questions and register complaints, what will be done to minimize noise and vibration disturbances caused by the track replacement project and what will be done to minimize lost parking spaces and alleviate the problems created from lost parking spaces.

By Supervisor Yee, that City Attorney prepare appropriate ordinance to stipulate that when temporary no parking signs are put up in a particular location, these signs provide a contact person and a contact phone number for individuals to call and get information about reason for the temporary prohibitions.

Motions Adopted

Motion that the Board adjourns its meeting this date out of respect to the memory of the following deceased:

David Kelsey (Supervisor Leno).

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:17 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 24, 1998.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of the Board meeting of the date stated and that it was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

